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CONTENTS.

The Council and the Burgesses, ... 1

The Leadership of Virginia in the War of the Revolution,..... 10

Sketch of John Camm, ... 28

Bland's Constitutional Argument in "The Colonel Dismounted," 1763, ... 31

Brafferton Manor, ... 42

Library of the College of William and Mary, ... 48

Cobb or Cobbs-Family, ... 51

English Wills, ... 57

Robinson Family, ... 58

Neville Family, ... 61

Historical Notes and Queries, ... 62

Book Reviews, ... 64

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THE COUNCIL AND THE BURGESSES.

The development of republican feeling in Virginia is interestingly illustrated by the history of the relations of the Council and Burgesses, as constituent members of the Assembly. For twelve years after the landing at Jamestown the Council had unlimited control, its executive head being the president or governor of the Colony. Until 1619 the people had no representation. Then the power of the governor and council was shared by representatives of the people for each plantation, their acts being subject to revision or rejection by the Virginia Company of London.

When the charter of the Company was revoked, in 1624, the council, for four years, was the only legal body, though it still annually joined with itself in making laws informal representatives from the people. When, in 1628, the King gave legal recognition to the General Assembly by authorizing Deputy Governor Francis West to call it together, the Council and Burgesses, in a short time, began the practice of sitting apart. Under the charter they imitated the practice of the London Company, which at its General Courts in London convened all its officers and members in one room, but the General Assembly which met under the King's authority would naturally look to Parliament and find an example of divided authority. The immediate effect was to get rid of the supervising power of the Company in London, but the Council sitting alone obtained a veto on the other chamber known as the House of Burgesses, which it did not before possess.

That the governor and council, under this new dispensation, exercised large authority is shown by their issuing proclamations having the force of law. They even ventured to lay taxes and to

impress citizens, but the burgesses were not supine and passed vehement protests against the exercise of any such power. The danger from the Council is probably shown by the General Assembly having to repeat the interdiction quite often. But, on the other hand, that this authority was only one of custom or permission is proved by the fact that when Charles I.'s power was overthrown, in the period of the Commonwealth, the Burgesses assumed all the powers, and elected both councillors and governor.

The incoming of so many educated cavaliers, and the restoration of King Charles II. restored the Council to authority again, and Berkeley, with their support, contrived to bring on Bacon's Rebellion.

When the Rebellion was over, Governor Jeffreys, in 1677, demanded of Major Robert Beverley, clerk of the House, the journals of that body, which he refused. They were seized, whereupon the House passed a resolution of remonstrance, which was sent to England and excited the indignation of the King. An order that Beverley should be put "out of all his offices" was sent over, but he was too popular for the governor to enforce the King's command, and he continued clerk of the House of Burgesses. There was trouble, in 1682, about an over-production of tobacco, and when the Assembly adjourned without any action, the Governor and Council demanded the journal of the House, which Beverley again refused; and it was partly on this account, as well as on account of his sympathy for the poor plant cutters, that he was subjected to much persecution.

He was confined on board of a man-of-war, and was finally released on a writ of *habeas corpus*[1] under heavy bail. The House of Burgesses stood by him and re-elected him clerk. In 1686 Lord Howard, of Effingham, acting by the King's direction, endeavoured to get the House to authorize him and the Council to lay a tax, but the Burgesses stoutly resented this illegal demand, and refused to tie their hands in any way. James II. ordered the dissolution of the House and directed their clerk, Robert Beverley,

[1] Historian after historian have said that Beverley was denied the writ of *habeas corpus*, but this is not true. See QUARTERLY, III., 149-154.

the head of the opposition, to be incapable of holding any office. To punish them further, the governor was directed to hereafter appoint the clerk of the House; which was but temporary.

Dying struggles are sometimes most violent, and the House was really gaining power all the time. After kings who claimed divine rights came the English Revolution of 1688 and kings who traced their rights to rule to the people of England. The governor and council now often found themselves on the defensive.

If, as Governor Gooch declares, the Council had the right of originating bills, the records show that they never did so. They practically confined themselves to amending the measures of the House, seldom ever using their veto outright.

Spotswood is full of complaints of the "undutiful" behavior of the Burgesses, which in one of his letters, in 1713, he ascribes to "a defect in the constitution which allows to every one tho' but just out of the condition of a servant and that can but purchase half an acre of land an equal vote with the man of best estate in the country."

Perhaps the summit of audacity was reached, when the Burgesses, in 1756, sent their mace-bearer within the bar of the supreme court of the Colony over which Governor Dinwiddie presided and took away such ministers of that court as were members of the House. It was now the turn of the House to search the journals of the Council!

From practically an absolute House, who were not always as respectful as they should have been, it was an easy step to a sovereign convention in 1774, and independence in 1776.

When Virginia emerged from the war of the Revolution, it was as the headquarters of the Democratic-Republican party, in contrast with Massachusetts, which became the headquarters of the Federalist or aristocratic party.

Although certain writers have tried to represent the New England States as original democracies, the least study seems to show that the aristocratic principle was more deeply imbedded in their institutions than in Virginia. In Virginia, through nearly the whole colonial period, the suffrage was right of every freeman, and though, in 1670, the suffrage was apparently limited to

freeholders, the law did not define the freehold till 1736. In New England the suffrage was a *privilege;* and even after 1736, the actual voters in Massachusetts were less proportionately than in Virginia. Aristocracy declined relatively in Virginia, though some writers have been dazzled by the grandeur of some of the upper classes into writing of "the growth of the aristocracy." Edmund Randolph, who was certainly a member of one of the "First Families," referred to their influence in Virginia, at the beginning of the Revolution, as "Little and feeble and incapable of daring to assert any privilege clashing with the rights of the people at large." Henry, *Patrick Henry*, 1,209.

On the other hand, Weeden in his *Social and Economic History of New England*, says that "the New England institutions were democratic in form, but aristocratic in the substance of the administration."

The following pages from the Journal of the House of Burgesses afford evidence of an amusing tilt between the two branches of the General Assembly, in 1749, which was put an end to by the Governor abruptly dissolving the session.

PROCEEDINGS OF THE HOUSE OF BURGESSES.

Thursday, May 1, 1749.

The house took into consideration the Report of the Committee to whom the Treasurer's Accounts were referred; and the said Report was read, and agreed to by the House.

Resolved, That the said Accounts do pass.

Ordered, That Mr *Carter* do carry the said Accounts to the Council, for their concurrence.

Upon a Motion,

Ordered, That an address be made to his Honour the Governor, to lay before the House the commission from his Majesty to the Right Hon. the Lord *Albemarle,* for appointing him Governor and Commander in Chief of this Dominion: And that Mr *Ludwell,* Mr *Carter* Mr *Beverley,* Mr *Braxton,* Mr *Peter Randolph,* and Mr *Bland,* do wait on his Honour with the said Address.

Mr *Carter*[2] informed the House, That he had in his hand a *Virginia Gazette,* in which are contained some Things that he thought highly reflected on the Proceeding of this House: And he read the same, as follows:

[2] Landon Carter of "Sabine Hall," Richmond County.

From the Council-Chamber, March 27, 1749.

It is Ordered by the Council, That the following Representation and Resolutions, made and agreed to this Day, with respect to the Resolves of the House of Burgesses, in relation to their pretended Right of searching the Journals of the Upper House of Assembly, be printed in the next *Virginia Gazette.*

N. Walthoe, Cl. G. A.[3]

'As the Council have often demonstrated the sincerest disposition to 'preserve a good Correspondence with the House of Burgesses, and 'always paid a due regard to their just Rights, they are the more aston-'ish'd at the Resolves in their printed Journals of the 10th and 14th of 'this instant; by which the Council stand accused, without the least Shadow of Reason or Justice, of having violated an undoubted Right and Privi-'lege of their House.

'Had the Burgesses, agreeably to the Parliamentary Method, before 'they made those hasty Resolves, vouchsafed to desire the Reasons of the 'Council's Conduct, they should not have any Thing to object to it, and 'would have received the fullest Satisfaction.

'Whenever either House has been dissatisfied with the other, Confer-'ences have been usually desir'd, and the Subject Matter of Dispute 'amicably debated; and thereby Misunderstandings commonly rectify'd, and 'that Harmony and good Agreement, which ought always to subsist be-'tween them, cultivated and maintained.

'But since the Burgesses have presum'd to run counter to this ancient, 'decent, and establish'd Method, having probably had nothing less in their 'Thoughts than a becoming respect, and perhaps conscious that they had 'acted in Opposition to Reason and Precedent; the Council find them-'selves under the unpleasing Necessity of publickly vindicating the Legality 'of their Proceeding, which has been reflected upon with such mistaken 'Heat, and unparrallel'd Severity.

'The Question is, *Whether the Burgesses have an undoubted right 'to search the Journals of the Upper House, without their Leave?*

'The Council say, That the constant and uninterrupted Practice is 'the Law of Parliament; that this pretended Right now claim'd by the 'Burgesses, was unknown to any preceding Assembly; that the regular 'Course to obtain a knowledge of their Proceedings, in any Matters trans-'acted in their House, is by a Message, to desire to be inform'd thereof; 'and insist upon this Method being agreeable to the Proceedings of As-

[3] Nathaniel Walthoe. See QUARTERLY, XVII., 150; Dinwiddie Papers, I., 9. As clerk of the Council sitting in legislative session, he was called "Clerk of the General Assembly" (Cl. G. A.).

'sembly, well warranted by precedent; and what the Burgesses could never 'have doubted of, had they consulted their own Journals. The Council, 'to confirm their Assertion, and prevent all future Controversy, have 'thought proper to exhibit the following Copies of Entries upon their 'Journals.

'In their Journal of the 20th of *June*, 1730, there is enter'd;

"A Message from the House of Burgesses, by Mr *Kemp*, and others: "*May it please your Honours,*

"The House of Burgesses being inform'd, That a Paper was entered "in your Journal, on *Thursday* last, by *Richard Fitzwilliams*, Esq, Sur- "veyor General of the Customs, containing several unjust and injurious "Reflections and Calumnies upon them and their Proceedings, highly "derogatory to the Honour of the House, and in open Breach and Viola- "tion of their undoubted Rights and Privileges, have ordered us to desire "your Honours to send them a Copy of that Paper, as it is enter'd upon your Journals."

'The Council immediately took the Message into consideration; and 'after Debate thereon, the Question was put, That the Copy of the Journal 'of *Thursday* last, so far as relates to *Richard Fitzwilliams*, Esq; be sent 'to the House of Burgesses?

it passed in the Affirmative.

'And a Copy was accordingly sent to the House of Burgesses, by the Clerk 'of the General Assembly.

'This Precedent was made when Mr *Holloway* was Speaker, and Mr '*John Randolph* (who drew the Message) Clerk, both eminent Lawyers, 'well acquainted with Parliamentary Affairs, jealous and careful of the 'Privileges of the House of Burgesses.

'The next Precedent is on the Council's Journal of the 25th of '*August*, 1736, when Sir *John Randolph* was Speaker, as follows:

"A Message from the House of Burgesses, by Mr *Willis*, and others:

"That they desir'd to know what their Honours had done with the "Bill, sent up from their House, intituled, *An Act, for Repealing the Act,* "intituled, *an Act, for amending the Staple of Tobacco; and for prevent-* "*ing Frauds in his Majesty's Customs,* &c.

"*Ordered,* That the Clerk of the General Assembly go to the House "of Burgesses, and acquaint them, in Answer to the said Message, That "the Council have under their consideration the Bill, intituled, *An Act,* "*for repealing the Act, for amending the Staple of Tobacco; and for pre-* "*venting frauds in his Majesty's Customs:* And Two other Acts, to "amend and explain, and for continuing and further amending that Act: "and having read the same twice, upon a Question put, for reading it a "third Time,

"*It passed in the Negative.*'

'These Instances incontestibly prove whose Rights have been invaded, 'unanswerably shew what the present House of Burgesses ought to have 'done, and sufficiently justify the Proceedings of the Council, and these 'their Resolves.

'*Resolved,* That the Privileges claim'd by the House of Burgesses, in 'their Resolve of the 14th of this Instant *March,* is new, unknown to their 'Predecessors, and inconsistent with the Constitution.

'*Resolved,* That it is the Right of the Council to keep the Possession 'of their own Journals; and the demanding their Journals by the Messen-'gers of the House of Burgesses, as they report to their House the 10th of 'this Instant *March,* is a Breach of the Privilege of the Council; and that 'the Resolve of the House of Burgesses of the 14th also of this Instant '*March,* without asking a Conference, is injurious to the Council, unpar-'liamentary, and a notorious Infringement of their indubitable Rights.

N. Walthoe, Cl. G. A.

And it is thereupon

Resolved, That there is contained in the said *Gazette,* a malicious and scandalous Libel, highly and injuriously reflecting upon the Proceedings of this House.

Ordered, That *William Parks,*[4] Printer of the said Paper, be immediately taken into Custody of the Serjeant at Arms, and brought to the Bar of this House to be examined.

William Parks, Printer of the *Virginia Gazette,* was brought to the Bar of the House, in Custody of the Sergeant at Arms; and being examined, said, That on *Thursday* Evening, the 30th of *March,* when he return'd from *York,* (where he had been the Two preceding Days) upon enquiring of his Servants what Forwardness they were in with the *Gazette,* to be publish'd that Night, *William Hunter*[5] told him, that there was an order from the Council, brought by *John Collet,*[6] the Doorkeeper, to be printed in that Day's *Gazette;* but that the said *Collet* being

[4] For sketch of William Parks, see QUARTERLY, VII., 10, 11.

[5] For sketch of William Hunter, see QUARTERLY, VII., 13, 14; 154-156; XIV., 149.

[6] John Collet's will was proved at Yorktown, March 19, 1749. After legacies to his wife Susanna; Solomon Davis, son of John Davis, of James City Co.; Henry Bryan, son of Bridget Bryan; John Carter, son of John Carter, dec'd; Thomas Carter, son of John Carter, dec'd; he gave the rest of his estate to Benjamin Waller. His wife, Susannah Collet, of Williamsburg, left most of her property, by her will proved May 18, 1752, to George Gilmer, Apothecary of Williamsburg, and to his son, George Gilmer, "now gone home to England with Mr. King"; a handsome mourning ring worth 5 guineas to John Randolph, Esq., barrister.

inform'd he was not at home, carried it away. He soon after return'd, and delivered the said Orders to *William Hunter,* which were inclosed and directed to *William Parks,* Printer of the *Virginia Gazette,* with Orders from the Council, that whoever managed his Business in his Absence, should open the Seal, and print their Orders in the next *Gazette;* which Orders were sign'd *N. Walthoe,* Cl. G. A. and were accordingly printed, tho' not published at that Time.

Ordered, That Mr *Carter* do go up with a Message to the Council, and acquaint them, That the House of Burgesses having ordered *William Parks,* the Printer of the *Virginia Gazette,* to be taken into Custody, for printing and publishing in the said Paper, a malicious and scandalous Libel, highly and injuriously reflecting on the Proceedings of the House of Burgesses, the said Printer, upon his Examination at the Bar, hath declared, That he printed and published the same by the express Order of the Council; but as the said Libel is wrote in such abusive and indecent language, and the Author or Authors thereof appear to be so little acquainted with (not to say wholly ignorant of) Parliamentary Proceedings; and as it is unparliamentary and beneath the character assumed by the Council, to have their proceedings printed in a common News-Paper, the House of Burgesses are unwilling to give Credit to an Assertion that carries in it so gross a Reflection on the Wisdom and Honour of the Council; and therefore desire they will inform them, whether it was done by their Direction, that the House of Burgesses may consider in what Manner they shall proceed against the Printer.

Mr *Ludwell* reported, That the Persons appointed had according to Order, addressed the Governor to lay before the House the commission from his Majesty to the Right Hon. the Lord Albemarle for appointing him Governor and Commander-in-Chief of this Dominion, who replied that he would order the Clerk of the Council to deliver the said Commission by a Message to the House, or in case that could not be found, that Lord *Orkney's* Commission should be delivered.

A Message from the Governor, by Mr *Walthoe:*

Mr *Speaker,*

I am commanded by his Honour the Governor, to lay before the House the Commission from his Majesty for appointing Lord Orkney *Governor of* Virginia.

The same being read,

Ordered, That the Thanks of this House be returned to the Governor, for laying the said Commission before the House: and that the Persons ordered to address him for the same, do wait on his Honour for that Purpose.

A Message from the Council, by Mr *Walthoe:*

That they have agreed to the Bill, intituled, *An Act, for paying the*

Burgesses Wages in Money, for this present Session of Assembly; without any Amendment.

That they have agreed to the Resolve, in Relation to Printing a new Body of the Laws of *Virginia;* without any Amendment.

And that they have passed the Treasurer's Accounts.

And that he was ordered to deliver the following written Message:

Mr *Speaker,*

The Council do avow the Paper, at which your House hath taken such great Offense, to be their Representation and Resolves; and that the same were printed by William Parks *by their express Command. And do insist notwithstanding the indecent Language you have been pleased to treat them with, that the same are Parliamentary, and contain only a Justification of the Council, which they were forc'd into, by same hasty Resolves of your House. They further inform your House, that Reason and Argument are not to be borne down by a Torrent of abuse and Detraction; and if your House think that the Representation and Resolves will not stand the test of Reason and Precedent, you may answer them if you think fit.*

N. WALTHOE, Cl. G. A.

Mr *Whiting* reported, That the Committee appointed had, according to Order, examined the rest of the Inrolled Bills, and rectified such Mistakes as had been found therein; and that the said Bills are truly Inrolled.

Qrdered, That Mr *Whiting* do carry the Inrolled Bills to the Council, for their Inspection.

The House took into consideration the written Message from the Council; and thereupon,

Ordered, That a Committee be appointed to prepare an answer to the said Message; and it is accordingly referred to Mr *Benjamin Waller* and Mr *Ludwell,* and that they do immediately withdraw and prepare the same.

A Message from the Council, by Mr *Walthoe:*

That they have inspected the Inrolled Bills, and are satisfied they are truly Inrolled.

Ordered, That Mr *William Parks* be discharged out of Custody of the Serjeant at Arms, without paying Fees.

A Message from the Govenor by Mr *Walthoe:*

Mr *Speaker,*

The Governor commands the immediate Attendance of this House in the Council Chamber.

Mr *Speaker,* with the House, went up accordingly; and the Governor was pleased to give his assent to the following Public and Private Bills:

THE LEADERSHIP OF VIRGINIA IN THE WAR OF THE REVOLUTION.

PART II.

THE TWO PENNY ACT.[1]

The speech of Otis on the writs of assistance, in 1761, has been extolled by many New England writers as "the prelude, if not the opening, of the Revolutionary Drama." My opinion as a Virginian may be subject to suspicion, but I think that the controversy involved in the Two Penny Act in Virginia has a much better title to that great honor. Let the facts decide.

1. The latter controversy was first in time since colonial resistance began, in 1755, with the passage of the act, while in the latter case, it began in 1761, with the speech of Mr. Otis, or at any rate, with the filing of his petition.

2. The latter had a direct connection with the revenue question, which is commonly admitted to have been the immediate cause of the Revolution. The colonies claimed that the control of the treasury was a local right inherent in the local assemblies. The Two Penny Act asserted this right against the King's authority, just as the resolutions of Patrick Henry in 1765, asserted the same right against the Parliament. The affair of the writs of assistance simply involved a legal question, which was as applicable to one place in the British Empire as another, and the Massachusetts Assembly did not deny the right of the British Parliament to make laws for the American continent.[2] Otis spoke for the privileges of a British subject.

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[1] This article contains the substance of an address read by the editor before the Virginia Historical Society, January 6, 1910. In due order it should be the first, not the second, article in the series. Since the address was delivered, Dr. Eckenrode, of the State Library, has published a paper entitled "Separation of Church and State," which bears upon this question and has been very suggestive.

[2] In the message of the Massachusetts Council and Assembly to Governor Bernard, commenting upon this trial, the following language was used: " * * * and beg leave to observe that we are far from apprehending that a resolve of this court can alter an Act of Parliament. * * * Every act we make repugnant to an Act of Parliament extending to the plantations is *ipso facto* null and void."

3. The Two Penny Act involved the assembly, the governor, the council, several county courts, the clergy, several pamphleteers, lawyers and orators, and even the King and privy council of England. The controversy championed by Otis involved a few merchants of Massachusetts, a few orators and lawyers and the supreme court of the Colony, who decided against him.

4. In the latter controversy—The Two Penny Act—pamphlets antedating Otis' speech proceeded from Carter and Bland, in which the ultimate authority of the Virginia assembly in local matters was maintained. There is also contemporary evidence that Patrick Henry, in 1763, uttered words of treason, and none that Otis ever did. The striking paragraph from John Adams describing Otis as "a flame of fire," which is often quoted to support his imputed rebelliousness, was written by John Adams fifty-seven years after the event occurred.[3]

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[3] There is nothing in the contemporary accounts calculated to impress us that anything very extraordinary occurred when Otis spoke. Hutcheson, the historian of Massachusetts, who was alive to every incident of the times makes no such allusion to Otis. The only contemporary language imputed to Otis is by John Adams in some notes taken, as he says, "in a very careless manner," but these contain nothing disloyal or treasonable. Adams, *Works* II., 521.

In 1798 Mr. Adams gave Mr. Minot a fuller transcript of his notes and Mr. Otis' speech written from memory. But no one can say how much of it is Adams and how much of it is Otis. As we read it to-day, there is nothing in the speech especially bearing on American relations to the Mother Country. Minot proceeded to embellish it after his own ideas. Adams, *Works* II., 125, 521. In his autobiography, Adams spoke again of the trial, but in general terms. Lastly, in 1817, in certain letters to William Tudor he used some stirring rhetoric, but little that Adams says at such a distance of time (fifty-seven years) can be accepted as history. Adams, *Works* X., 183, 247, 280. He states, for instance, that no writs issued after the trial, when, according to the record, they were issued most freely. Gray in Quincy's *Reports*, 405-434.

The plain truth is that Adams, like Andrew Jackson, belonged to that class of strong-willed, positive kind of people, whose nature it is to forget what they wished had never occurred, and to remember vividly the occurrences which flatter their ruling passion, and unconsciously to exaggerate the facts in connection with it.

5. The controversy over the writs of assistance was simply a legal fight, but in the case of the Two Penny Act the question was aggravated by the religious features connected with it. The growth of dissent in Virginia was immensely encouraged by the victory obtained over the established church which had identified itself with the prerogatives of the crown. In the subsequent agitations, the advanced patriotic party in Virginia was largely the dissenting element.

6. There could be no comparison in the effects of the two controversies in the respective colonies., Otis utterly failed to make good his protest, for the courts decided against him and afterwards quietly executed the writ. If, according to John Adams, "then and there the child of independence was born," it was stillborn, for no rebellion can ever spring from a dead failure. How different the Two Penny Act controversy; the juries and the highest court of the colony decided against the Parsons, and the privy council of the King after taking ground in their favor backed down from its position and evaded giving them any relief. The agitations over the Two Penny Act mingled with the agitations over the Stamp Act and the tax on tea, and powerfully swelled the tide which rolled the colony on to independence.

My intention is to give more in detail than has generally been done the history of the Two Penny Act. When the controversy started Virginia had a population of 295,672 persons, of whom 120,156 were negroes. Great Britain and France were waging a war for dominion over the Western continent, in which the first blow was struck by a young Virginia colonel, named Washington. Robert Dinwiddie, a bluff and able Scotchman, resided in the palace at Williamsburg as Governor, and his great ambition was to whip the French. To these troubles with the French, was added now a domestic trouble with the ministers.

Virginia had a State Church represented by about sixty ministers, who were most of them Englishmen from the English universities. In regard to their morals many causes have contributed to give them a bad reputation in history. They have

suffered at the hands of travellers who are given to generalize from a few special cases. They naturally opposed the spread of dissent, and as a result were condemned by the dissenters. Reformers, like Jarratt and Meade, have abused them because such is the unconscious spirit of reform to see little good in anything from which it dissents. Finally, they suffered from the patriotic writers who, in spite of the demonstration of the Virginia clergy in favor of the colony, when war was at hand, never forgot their appeal to the power of the crown at this time. Some of the ministers were, without doubt, men of loose morality, but Rev. Andrew Burnaby, who spoke discriminatingly reported the majority to be of "sober and exemplary lives." This did not mean that this majority did not drink and play cards, for drinking and playing cards, however, condemned by us moderns, are not necessarily immoral or destructive of piety and were universally indulged in before the Revolution.[4]

Probably all that Burnaby meant to say was that the Virginia clergy would bear comparison with the English clergy, of whom he was one and were as a body superior in their habits to the majority of the laity.

By an act passed in 1748, entitled "An Act for the Support of the Clergy and for the regular collection of the parish levies," the salary of the clergy was fixed at 16,000 lbs. of tobacco. This act, being approved by the Governor, went immediately into effect in Virginia, and, subsequently receiving the royal approval in England, became according to the "ancient constitution and

[4] Drinking was by no means confined to Virginia. The chief industry of New England was the making of rum, whereof a goodly amount was consumed at home. John Adams said that every other house in the different towns of the county in which he lived were taverns, dirty, or miserable accommodations, and "full of people drinking drams, flip, toddy, carousing, swearing, but especially plotting with the landlord to get him at the next town meeting an election either for selectman or representative." Adams, *Works* II., 125, 126. This confirms what the Baron Reidesel says in his *Memoirs:* "The New Englanders all want to be politicians and love, therefore, the tavern and the grog bowl, behind the latter of which they transact business, drinking from morning till night." See QUARTERLY, IX., 271.

usage" of the colony irrepealable except by an act of equal dignity, that is, one having also the royal approval. In December, 1755, the Assembly passed an act to remain in force for ten months, allowing all tobacco dues to be paid at the option of the payer, at sixteen shillings, eight pence for each hundred pounds of tobacco. Because the price set was equal to two pence a pound, the law was called the "Two Penny Act."

The act had no suspending clause for the King's approval, but was to go into effect at once and the reason alleged in the preamble for its passage was "a great drouth," which threatened to reduce the tobacco crop and make taxes too heavy in this period of war.

To the clergy, however, the price was naturally very distasteful, because it not only cut them out of their gains, but tended to make of them thoroughly subordinate to the Assembly.

Afer the passage of the bill through the House of Burgesses, a fight against it was begun in the council. In that body Thomas Dawson, one of the professors in the College of William and Mary and commissary to the Bishop of London, made a strong speech against it, but in vain. After its passage through the council, four of the clergy also professors, John Camm, William Preston, Thomas Robinson and Richard Graham, called upon Governor Dinwiddie, and begged him to use his veto. This gentleman, who had his whole heart and soul in the French war, and for this reason did not wish to displease the Virginians replied: "What can I do? If I refuse to approve the act, I shall have the people on my back." He promised, however, to refer the question to the council for advice, a step not calculated to help the cause of the clergy, as that body had already approved the bill in their legislative capacity. Now, as his official advisers, they counselled him to sanction the bill, taking the ingenious ground that it did not lessen the quantity of tobacco to be paid, but only explained it by ascertaining the equivalent in money. After this advice Dinwiddie approved the bill.

Then the local clergymen tried to get Commissary Dawson to call a convention of the clergy, but he thought such a call imprudent and advised them to ask the intervention by letter of

the Bishop of London, who was their diocesan. This, some of the clergy, accordingly, did, and Commissary Dawson wrote in their behalf. But this was not entirely satisfactory, and the effort was again made to get the Commissary, now elected President of the College, to call a convention. When he refused to do this, he was bitterly condemned by the four before mentioned professors, and they joined with seven other ministers and advertised in the Virginia Gazette for a clerical convention to be held August 31, 1757, a course which greatly incensed Governor Dinwiddie, who was condemned by them. But the two pence per pound permitted by the Act, having by this time turned out the average value of tobacco, only nine of the brethren thought it worth while to attend the convention; and these forebore to make any complaint. So the cloud at this time broke, and the trouble in its acute stages passed away, not failing, however, to leave behind a bitter crop of bad feelings, which were manifested especially in the College circle. On various charges the Board of Visitors, in 1757, removed three of the professors, Camm, Robinson and Graham, and the fourth, William Preston, escaped removal only by returning to England. The College exercises were practically suspended and many parents sent their children to the new College at Philadelphia. Among the charges laid at the door of the Rev. William Preston and the Rev. Thomas Robinson was the fact of their marrying and "keeping contrary to all rules of seats of learning, their wives, children and servants in the College, which occasioned much confusion and disturbance."

In June, 1758, Dinwiddie was superseded as governor by Francis Fauquier, who, in spite of his rather peppery temper, was nearly everything that could be wished for in a royal governor. He was generous and liberal in his manners, and as a fellow of the Royal Society of England, he had a scholarly character and fine literary taste.

But public affairs during the colonial times never continued long without a quarrel, and several months after Fauquier's arrival the General Assembly, which met in October, 1758, framed "on account of some unseasonable weather" another Two Penny

Act to continue for twelve months. As in the former case there was no clause suspending the operation of the same until sanctioned by the Crown. The clergy now became thoroughly indignant, and a deputation consisting of the Commissary, Rev. Thomas Dawson, and two eminent ministers, Rev. John Camm and Rev. William Robinson, went to the palace, but Fauquier was even more unsatisfactory than Dinwiddie. This is the account of their interview as given by Mr. Robinson: "We humbly represented to his Honor that the act which we were threatened was contrary to reason and common justice. His answer was *that* was not a point to be considered. We then gently put him in mind that it was contrary to his instructions. He answered that is a point not to be considered. It was asked what was the point to be considered and he frankly told us the sole point to be considered was what would please the people." "Which put an end," says Robinson, "to our application."

The apprehension at this time in regard to the crop turned out correct, and the market price of tobacco rose to six pence per pound. The clergy determined to appeal to the King and a convention of thirty-five ministers assembled at the College. They drew up a memorial and intrusted it to Rev. John Camm, formerly Professor of Divinity in the College and minister of Yorkhampton Parish, which was one of the parishes adjoining Williamsburg, and lying in York County.

This action of the clergy put an entirely new phase upon the question. There was room to question the fairness of the Assembly in passing a law which took effect retroactively, after the salaries had already accrued. and the clergy was undoubtedly within their moral and legal right in opposing the bill as long as it could be reasonably opposed in the colony, but an appeal to the King against the colonists was to say the least very unwise, if not unjustifiable. The clergy could not have been ignorant that the assertion of the royal prerogative had provoked more than once the deep resentment of the people for whom they ministered. Only a few years before the Assembly had protested against this very branch of prerogative that they now invoked which made an act that was without the approval of the

King invalid. By their action in appealing the strength of their individual cause became lost in the much more important question whether in a matter purely local, a matter indeed involving a question of local taxation, any other will than that of the Assembly should prevail. As in the British Empire to-day the King's authority is chiefly sentimental and Parliament cannot reach outside of its Island dominion, so the inevitable tendency of colonial affairs before the separation of the United States was to absolute or qualified independence.

Mr. Camm, the agent of the clergy, went to England in the early part of 1759 and with the assistance of the Archbishop of Canterbury, obtained an interview with the King, to whom he presented the clergy's petition. The King referred the paper to his privy council, who on May 14, 1759, referred it to the Board of Trade, and the latter thought it expedient to ask the opinion of Dr. Thomas Sherlock, Bishop of London. The Bishop's letter of reply which is dated June 14, 1759, fully sustained the memorial and denounced the Two Penny Act as unjust to the clergy, inconsistent with the dignity of the Crown, and tending to draw the people of the plantations from their allegiance. On the other hand, James Abercrombie, the colony's agent, vigorously represented the colony. July 4, 1759, the Board of Trade reported to the King that their opinion was that he should declare "his royal disallowance of the acts of December. 1755, and October, 1758," which was, accordingly, done in council on August 10 following. Mr. Camm was elated and immediately wrote to his attorney in Virginia to bring suit for his salary in the General Court against the vestry of Yorkhampton parish, but it was not without considerable loss of time that he was furnished with a copy of the order and additional instructions for Governor Fauquier. So after a stay in England altogether of 18 months he set out on his return to Virginia and arrived at Hampton in June, 1760, where in order to refresh himself after the tedium of the sea voyage he accepted a week's hospitalities from his friend, the Rev. Thomas Warrington.

During the absence of Camm great excitement prevailed in Virginia, and after his suit began in the General Court the General

Assembly on November 14, 1759, adopted a resolution to support the authority of the defendant vestry and in their letter of December 12, the Committee of Correspondence of Virginia instructed their agent in London (Edward Montague) to employ the necessary counsel in case of any appeal to England should be taken in Camm's suit. As about this time the Bishop of London's letter began to be circulated among the clergy in the colony, two champions of the people sprang into the arena and assumed to reply to the Bishop's strictures. These were Col. Landon Carter, of Sabine Hall, in Richmond County, and Col. Richard Bland, of Jordan's, in Prince George County.

Both of these men were well informed on the history of Virginia, and probably neither of them had much love for the clergy. We know that some years before, Col. Carter became incensed with a Reverend gentleman, who preached a sermon against pride, which he took to himself. As a consequence Col. Carter had vowed that he would never be satisfied until, despite the King, Bishop, government or any court of judicature, he turned the said reverend gentleman out of his office and "clipped the wings of the whole clergy in the Colony." We know nothing of Col. Bland's relations to the clergy, but the Journal of the House of Burgesses clearly shows that he was the author of both the Two Penny bills. Col. Carter's pamphlet, which was entitled "A letter to the Right Reverend Father in God, the Lord Bishop of London" was dated December, 1759, and printed in Williamsburg the same month. Col. Bland's pamphlet was dated March 29, 1760, and printed soon after. Each of these pamphlets set out to defend Virginia against the Bishop's charges. They contended that the General Assembly, in fixing the salary of the clergy in 1748 at 16,000 pounds of tobacco, had in mind its value in ordinary years and had not intended that it should amount to three times that sum.

As to the claim that the act had not the royal approval and was also against the Governor's instructions, Col. Carter argued that there were exceptions to all cases and that justice to the people and charity to the poor made this tobacco act an exception. Col. Bland, who was much the better writer of the two, took the

ground of the *Salus populi suprema est lex,* and argued that necessity made its own law, and that in certain cases even royal instructions "may be deviated from with impunity."

Rev. William Robinson in a letter dated November 20, 1760, informed Dr. Sherlock, the Bishop of London, that the two pamphlets were received with great applause in the Colony, "which," he said, "sufficiently showed to what a pitch of insolence many are arrived at not only against our most worthy Diocesan, but likewise against his Majesty's most honorable privy Council." He thought that the tendency of the whole affair was "to bring about a change in our religion as may alter the constitution of the State."

In the meantime, Mr. Camm had recovered from the fatigue of his ocean voyage, and, on June 27, in company with Mr. Warrington and Mr. Robinson came up to Williamsburg. After their arrival they called upon the Governor at the Palace and handed him the order of the Privy Council and the instructions to put them into effect. Mr. Robinson's account of the interview is not calculated to give us a very high opinion of the behavior of men in high society in those days. Fauquier was offended, and perhaps justly so, that these papers were delivered to him opened and not till ten months after their date and five months after copies had been sent over by Camm to his confidential friends.

He flew into a great passion and accused Mr. Camm of disrespect in not calling upon him at once on his return. He also attacked him for slandering him in England; and when Mr. Camm started to justify himself upon this head, the governor would not stop to hear him out, but called with great vociferation to his negroes, telling them when assembled, with his finger pointed at Mr. Camm's face, to "look at that Gentleman and be sure to know him again, and under no circumstances to permit him to revisit the Palace."

Says Camm's friend, Mr. Robinson: "There was something peculiar in this last indignity, for it is the greatest affront that can be put upon a freeman here to give orders concerning him to his slaves."

The two clergymen therefore left the palace, and repaired to the Mayor before whom Robinson made an affidavit that he had seen Mr. Camm deliver the papers to the governor, a procedure on the part of Mr. Robinson which long rankled in Fauquier's bosom and which he never entirely forgave.

After this Mr. Camm tried to induce Mr. Dawson to call the clergy that he might report to them the result of his mission, but Mr. Dawson, who was friendly to the governor, declined. The commissary indeed appears at this time to have been in a very unhappy condition not only in regard to the clergy of whom he was the nominal head, but in regard to the professors of the College of which he was the president.

In August, 1760, two of the new professors, Rev. Goronwy Owen and Rev. Jacob Rowe, becoming merry with the wine cup led the boys of the College in a row with the boys of the town, and the former was removed and the latter to save himself resigned. The commissary himself began to drink hard and was indicted by the grand jury for drunkenness. When he was arraigned before the College Board, he confessed the offence, but had the honor to have an excuse made for him by his friend, Governor Fauquier, who said that it was no wonder that the poor man got drunk, since he had been driven to desperation by persons of his own cloth. His death a few weeks later on December 2, 1760, seems to show that he was suffering under a complete breakdown, and was really not responsible for his conduct. In his obituary in the *Maryland Gazette,* no doubt the work of his friend Fauquier, Mr. Dawson is praised for his "moderation, meekness, forgiveness and long suffering," and it is also stated that "it is much to be feared he fell a victim to the repeated marks of ingratitude and Malice which he unhappy man frequently experienced in his passage through this State of Probation."

In his place, and to the disgust of Governor Fauquier especially, Rev. William Robinson was appointed by the Bishop of London commissary and Rev. William Yates succeeded as president of the College.

Governor Fauquier issued a proclamation in regard to the

royal disallowance, but by using the word "repeal," not to be found in the order of the Privy Council, he disseminated the notion that the Two Penny Act, which had now expired by its own limitations, was only annulled from the time of the proclamation and not from its inception, which was very illogical, to say the least.

Afraid to risk all upon Mr. Camm's suit in the General Court, various other ministers, acting independently, instituted separate actions in the county courts. Among these were Rev. Thomas Warrington, who sued in Elizabeth City County, Rev. Alexander White, who sued in King William County, and Rev. James Maury, who brought suit in Hanover County.

Mr. Camm, now pretty well warmed up to the fight, wrote a pamphlet in 1763, which he called "A Single and Distinct view of the Act vulgarly called the Two Penny Act," in which he severely criticised "the justice and charity" ascribed to the same by Col. Carter in his pamphlet 1759, and the *Salus Populi* argument of Col. Richard Bland's in 1760. Unable to find a publisher in Williamsburg, he had it published by Jonas Green that year at Annapolis in Maryland. No copy of this interesting document is to be found in America, though one is very probably preserved in the library of the Bishop of London.

Col. Bland retorted in a letter published in the *Virginia Gazette,* October 28, 1763, and Camm replied in a letter entitled "Observations," published shortly after. Personalties flew about quite freely, and in the early part of 1764 Col. Carter came to Bland's assistance with a pamphlet entitled "The Rector Detected: Being a just defence of The Two Penny Act against the artful misrepresentation of the Reverend John Camm, rector of Yorkhampton, in his *Single and Distinct View,* containing also a plain confutation of his several Hints, as a specimen of the Justice and Charity of Colonel Landon Carter." [5]

In the meantime, the separate actions in the county courts by the ministers were tried with varied results. In the suit of Rev. Thomas Warrington, of Elizabeth City County, the jury gave

[5] Bland's letter in the *Gazette* and Camm's "Observations" were published by Bland in his pamphlet "The Colonel Dismounted."

damages if the court considered the law invalid, but the court held the act to be valid and refused to enter up judgment for the plaintiff. In the case of the Rev. Alexander White, St. David's Parish, King William County all the questions were left to the jury, and they found against him. In both these cases, appeals were taken to the General Court, where Mr. Camm's suit was pending.

None of the suits which were brought excited such interest as that instituted by Rev. James Maury, of Fredericksville Parish, Hanover County. In this case the court decided the Two Penny Act to be null and void, and a jury was summoned for the December term, 1763, to ascertain the damages. The vivid grouping of authentic incidents around the trial has no rival in the story of the writs of assistance in Massachusetts. If Otis in Massachusetts, in the language of John Adams, was "a flame of fire," his light soon burnt low, when the crisis of the Stamp Act was reached. On the other hand, Patrick Henry, who now flamed before the people of Virginia in Hanover in the Parson's cause, blazed at the latter period like a "Pillar of Fire" before the whole American people, and afterwards shone with scarcely diminished lustre throughout the rest of the period preliminary to the Revolution.

This is the way in which Camm's friend, Commissary William Robinson, told the story of the action in Hanover:[6]

"The event of Mr. Maury's cause on the same question was more extraordinary than either of the former brought in the county courts. For here the court adjudged the Act to be no law. But the jury, summoned afterwards on a writ of inquiry to settle the damages, tho it was proved by unexceptionable evidence uncontradicted, that the tobacco for which the plaintiff had been allowed 16s. 8d. a hundred, was worth 50 shillings a hundred, had the affrontery to bring in one penny damages for the Plaintiff. To this important Verdict they were persuaded by the strange argument of a young lawyer; who professed afterwards that he had acted solely from desire of popularity. He was pleased to tell the jury that the use of the clergy consisted only in their promoting obedience to civil sanctions; that for daring to complain of a just law passed

[6] Mr. Maury himself gave an account of the trial, which is published in Maury, *Memoirs of a Huguenot Family*, 421, 423.

by such a power as the Governor & Assembly, they ought to be severely punished; that he hoped they would make an example of Maury in particular, as far as they could at present by giving him a penny damages, and that the King by taking upon him to disallow the Act of the Governor & Assembly had forfeited all right of obedience heretofore due his subjects in Virginia. For all of which he received no Check from the Court, nor has he hitherto been taken notice of by any other power; tho' he pleaded before a numerous audience of magistrates & Assembly men & persons of all ranks in the Colony, some of whom did murmur at the time 'treason,' 'treason!' * * * After the trial was over this Lawyer excused himself to the plaintiff by telling him that he had no ill will against him or wished to hurt him, but that he said what he did to make himself popular. He has succeeded in making himself popular in that part of the country where he lives. He has since been chosen a representative for one of the counties in which character he has lately distinguished himself in the House of Burgesses on occasion of the Arrival of the Act of parliament for Stamp duties. While the Assembly was sitting, he blazed out in a violent speech against the Authority of parliament and the King, comparing his Majesty to a Tarquin, a Cæsar, and a Charles the First and not sparing insinuations that he wished another Cromwell would rise."

It may be proper to say here that Henry's part in this controversy has been often misunderstood. His speech has been taken as the beginning of Virginia's protest against the prerogative, whereas the first Two Penny Act disregarding the accepted constitution was eight years earlier and the field had been occupied by Bland and Carter before him. Nor was his action an advocacy of the poor against the rich, as the latter class fared best under the Two Penny Act. As a matter of fact, "Henry fought the battle of the whole colony and of the ruling powers more than of any other element."[7]

The result in Mr. Henry's case was very disheartening to all of the clergy except their intrepid leader, Rev. John Camm, who was not to be beat so readily. In the spring of 1764 he published a pamphlet in reply to Colonel Carter's "Rector Detected," entitled "A Review of the Rector Detected or the Colonel Reconnoitered. Part of the First." In this very spicy production Camm took notice of Colonel Carter's rather singular ar-

[7] H. J. Eckenrode, *Separation of Church and State in Virginia.*

gument that the passage of the Two Penny Act without a suspending clause, instead of exhibiting a treasonable intent was proof of "the most dutiful regard imaginable to the Sovereign," "whose innate goodness could not require such a clause in a thing so universally desired." Said Camm in reply:

"If so old and deep a politician as the Colonel, so able a Writer, a Man so acute at Demonstration, can express himself in this unguarded Manner in print on the Subject of the Prerogative, producing the Freedom he takes with the Power of the Crown as an Expression of Regard to his Sovereign, no Wonder that an obscure Lawyer, the other Day, when a court had previously adjudged the Two Penny Act to be no law, and a Jury was was summoned on a Writ of Inquiry to settle the Damages which the Plaintiff has sustained by the said Act, adjudged no law, should tell the Jury that the King, by disallowing the said Act, *had forfeited the Allegiance of the People of Virginia;* and that the Parsons, for opposing the said Act by *legal Means,* instead of obtaining Damages, deserved to be *severely punished.* No Wonder that the Jury, in Opposition to unexceptional Evidence, instead of bringing in the Difference between 50s. a Hundred and 16s. 8d. upon 16,000 Weight of Tobacco, which latter price the Plaintiff had been paid, brought in 1*d.* Damages for the Whole. No Wonder that the Court refused to let the Evidence be recorded. No wonder that there was a small Cry of Treason among the Bystanders. No wonder that the Court, though called upon by the opposite Pleader to take Notice of his Adversary's Behaviour, permitted the Offender to proceed in his treasonable Harangue without any Reprimand or Interruption: No wonder that though this Harangue was made in the Presence of various Magistrates, and some Assemblymen, yet no further Notice has been taken of this remarkable Transaction. No Wonder that after the Trial was over the Pleader excused himself to the Plaintiff for the Injury he had done him, alleging that what he had said of the King's *forfeiting the Allegiance of the People,* and ill Behaviour of the Clergy towards superior Authority, was only intended to render himself *popular.* I hope he is mistaken and that to insult *Majesty* is not the high Road to *Popularity* in this loyal Country, whatever it may be to abuse and *oppress the Clergy.*"

In April, 1764, Mr. Camm's case, which I fear had been purposely delayed before the General Court, came up for a hearing after more than three years' sleep on the docket. The lawyer opposed to him was Robert Carter Nicholas, a strong friend of the established church, but who assumed the ground first suggested by Fauquier's use of the word "repeal" in his proclama-

tion that the King's order was prospective and could have no effect on the Two Penny Act, which had expired before the disallowance came to hand. According to Mr. Robinson it was also claimed in court that a law passed by the Assembly and approved by the Governor was legal, however much the governor himself might be subject to punishment as over-stepping his instructions. The result was that the majority of the Court—John Blair, John Tayloe, William Byrd, Presley Thornton and Robert Carter Burwell—decided against Camm's conclusions, and in favor of the validity of the act. As the court was not equally divided, Governor Fauquier did not vote, but after the judgment was given he arose and declared that it had his full concurrence.

About July, 1764, Col. Bland came out in a pamphlet written eight months before, which was entitled: "The Colonel Dismounted, or the Rector Vindicated in a letter addressed to his Reverence containing a dissertation upon the Constitution of the Colony."

This pamphlet undertook to discuss in a bitter ironical style Camm's "Single and Distinct view" and his "Observations" upon Col. Bland's letter already noticed. "Your infinite wit and humor," says the writer addressing Camm, "can transform the unripe crab, the mouth distorting Persimmon, the most arrant trash, into delicious fruit. * * * Why did they (the two colonels, Carter and Bland) inflame your resentment? Did they not know your Reverence has honesty to represent facts truly, Learning to write accurately, and wit to make your lampoons, though loaded with rancour and Abuse, agreeable and entertaining? Presumptuous Tithe-Pig Colonel (Carter), infatuated syllogistical Colonel (Bland)."

The real importance of this pamphlet lies in its earnest discussion of the Virginia constitution under the British Sovereign. Indeed, in his perception of the real authority of an American colony Bland is not only ahead of James Otis, Samuel Adams or any other pamphleteer or writer in time, but is far ahead of them in his views. This pamphlet is the great initial paper of the American Revolution.

It had a large circulation, but its contents seem unknown to

modern writers. It covered the whole ground of the American Revolution even to its most advanced stages. It took the ground that "any tax respecting our internal policy which may hereafter be imposed upon us by Act of Parliament is arbitrary and may be opposed." These words exempted taxes for the regulation of trade, but plainly included taxes for revenue purposes, whether laid directly, or indirectly by imports. Bland denied that Parliament had any right to make any laws for Virginia, and asserted that Virginia's code of law consisted of the common law, the statutes of England made before the settlement at Jamestown, and the statutes of her own General Assembly. Any interference of England *may be opposed.* To all intents and purposes Virginia was a co-ordinate kingdom with England. There is really little difference between the doctrine set forth in this pamphlet and that in Bland's later pamphlet entitled "An Enquiry into the Rights of the British Colonies," published in 1766. Dr. Moses Coit Tyler declares that the doctrine then advanced was a "prodigious innovation" and that it became afterwards the ground adopted for the dissolution of the British Crown.[8]

Mr. Camm appealed his case to England, and in the very letter which the Virginia Committee of Correspondence wrote to their agent in London, July 28, 1764, protesting against the Stamp Act, instructions were given him to see that the suit appealed by Camm was properly defended. The appeal was heard in 1767, but the Privy Council, anxious at that time to concilliate Virginia, dismissed the suit on the ground that it was improperly brought. This appears to have been a mere evasion as the clergy's case was prepared by one of the best lawyers in England, Ferdinando Paris.

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[8] Bland's style is remarkably smooth, as compared with James Otis and other contemporary writers. One wonders how Dr. Moses Coit Tyler could describe it as "jerky and harsh," after his words of eulogy for much inferior writers. But that the Doctor, in spite of his really deserved reputation as a critic, could make some terrible mistakes, is shown in his very ill-founded allusion to the "fresh and unadorned rascality" of the famous option law. Tyler, *Henry*, 37. Dr. Charles Elliott Howard says: "There is small ground for so harsh a judgment." Howard, *Preliminaries of the American Revolution*, I., 94.

Mr. Warrington appealed to the General Court, but it declined to hear the case pending Camm's appeal in England. After the adverse action of the Privy Council the General Court in Virginia at the October term, 1767, decided against Warrington, and even refused to permit an appeal to England, arguing that the decision in Camm's case had decided the whole matter. The judges, however, must have known that the decision was on a mere technicality and did not preclude a new suit.

Still unconquered, Mr. Camm prevailed upon the convention of the clergy, which assembled in 1769, on the incoming of Lord Botetourt to appoint a committee to consider an application to the Governor for a mandamus to remove Warrington's cause to England. Robinson was now dead, and James Horrocks, who was both commissary and president of the College, advised against the application, and it is probable that Botetourt refused to issue the writ; for we see no more of the Parson's causes in the record. The casuistry used at different times by the assembly, the governor, the courts and the juries, shows better than anything else the determination of the Virginians to defeat the King's will. The people of Virginia felt that the salaries paid the clergy were taken from their pockets, and, as with the Stamp Act, they claimed the right to control their own money wihout interference from abroad. Such, indeed, were the sentiments expressed to the world by the House of Burgesses at this very time on the subject of the duties on tea.[9]

[9] The main authority for this article is *Papers Relating to the History of the Church in Virginia,* edited by William Stevens Perry. Copies of the different pamphlets mentioned in the text are found in the Virginia State Library. For *bibliography,* see sixth annual report of the Library Board of the Virginia State Library. Other helpful material is found in H. J. Eckenrode, *Separation of Church and State,* in same report, and published also separately; Howard, *Preliminaries of the American Revolution,* in Hart's *American Nation;* Henry, *Life and Speeches of Patrick Henry;* Wirt, *Henry;* and Tyler, *Henry.*

SKETCH OF JOHN CAMM.

John Camm was the son of Thomas Camm of Hornsea in Yorkshire, England, and was born in 1718. He first attended the school at Beverley in that county, and at the age of twenty he was admitted a student of Trinity College, Cambridge. He was elected to a scholarship and on April 10, 1741-'42, won the degree of Bachelor of Arts. Subsequently, he received the degree of Master of Arts, and Doctor of Divinity.[1] Shortly after receiving his Bachelor's degree he emigrated to Virginia and in 1745 he was minister of Newport Parish, Isle of Wight County. On September 18, 1749, he took the usual oaths as professor of Divinity in William and Mary College, and about the same time was elected rector of Yorkhampton parish. The Two Penny Act, which he opposed, stirred up strife in the College, and in 1757 Camm was temporarily turned out of his professorship by the Board of Visitors. In 1759 he was appointed, as we have seen, agent by the clergy to represent their cause in London, where he staid 18 months. In 1763 he obtained an order from the Privy Council for a reinstatement in the College to his former professorship; and in 1766 owing to the departure of two of the professors for England, he had charge of all the youth in the College above the Grammar School, teaching Divinity and Moral Philosophy, as well as Natural Philosophy and Mathematics.

In 1769, Mr. Camm and Mr. Josiah Johnson, master of the Grammar School at the College, married, gave up their lodgings in the College building, and took up their residence in Williamsburg. Thereupon, the visitors threatened to remove them from their professorships, but finally compromised by fulminating a decree that "all professors and masters hereafter to be appointed be constantly resident in y^e^ college, and upon the marriage of such professors or masters that his professorship be immediately vacated."

The courtship of Parson Camm is a counterpart of that of

[1] I do not know from what college he obtained these last degrees.

John Alden in New England history, and is one of the choicest incidents in the college annals. The romance of his life came to him when he had attained the mature age of fifty-one, and in the following manner:

Among Camm's parishoners, baptized by him in his early rectorship of Yorkhampton Parish, was Betsy Hansford, a relation of Hansford, the rebel and martyr of Bacon's day.[2] A young friend, who had wooed Miss Betsy without success, persuaded the worthy parson to aid him with his eloquence. He called upon her, and among other authorities quoted the Bible, which enjoined matrimony as one of the duties of life. His persuasions had no effect, however, and the young lady finally suggested that, if the parson would go home and look at 2 Samuel xii., 7, he might be able to divine the reason for her refusal. Mr. Camm went home and "searched the scriptures," when he found these significant words staring him in the face: "And Nathan said to David, *thou art the man.*" The sequel is told in an item of the *Virginia Gazette* announcing the marriage of Rev. John Camm and Miss Betsy Hansford.[3]

In 1771, he became immersed in another excitement touching the establishment of a Bishopric in Virginia, which the people at large bitterly opposed. He was unpopular before and his conduct now made him more unpopular than ever. Yet despite his unpopularity he was, on the death of President Horrocks this year, elected President of the College, and the Bishop of London made him his commissary and the Privy Council appointed him a member of the Virginia Council. He thus acquired honors sufficient to satisfy the most ambitious, and a salary of 550 pds. sterling, which was probably equal to $10,000 in present values.

As might have been expected from his antecedents he was a staunch Tory and disapproved the successful attempt of Vir-

[2] A sketch of the Hansford family is given in *Virginia Historical Collections*, XI., 193-201.

[3] I received this anecdote from my predecessor, President Benjamin S. Ewell, who received it from President Robert Saunders, whose father, Robert Saunders, knew Dr. Camm.

ginia to set up independent of Great Britain. And when the Tory element in the Faculty of the College lost power by the departure of Professors Henley and Gwatkins, who, disgusted with "rebellious colonists and disorderly collegians," (Gwatkins' words) sailed off in 1775 to England in company with Lady Dunmore, he was left isolated and without power. At a meeting of the Faculty on November 29, 1776, after the Declaration of Independence, a motion was made to drop the King's name in all commissions to surveyors. True to his principles, Mr. Camm opposed it, and when the resolution was adopted he entered upon the Faculty minutes an emphatic protest. The patriot Board of Visitors could not stand this and removed him in the spring of 1777; and a new regime began at the College with the election of James Madison as president, afterwards first bishop of Virginia (cousin of the great President of the United States of that name). Mr. Camm did not live long afterwards. He died at the Hansford homestead at the half way house six miles from Williamsburg in the year 1779, leaving five children—three sons and two daughters, who are numerously and worthily represented to-day in Virginia and the South.

Mr. Camm had a large Library and used a book-plate—a copy of which has been furnished me and is described as follows: Or a cross engrailed gu, in the first quarter a crescent of the last. Crest: A cross gu charged with a crescent or. Motto: Discite justitiam moniti, with "John Camm" at bottom.[4]

[4] For an account of the Camm family see QUARTERLY, IV., 61, 275. Most of the facts in the sketch above were derived from William Stevens Perry, *Papers Relating to the Church in Virginia,* and from the Faculty Book of the College.

BLAND'S CONSTITUTIONAL ARGUMENT IN "THE COLONEL DISMOUNTED," 1763.

Colonel, said I, this is all Prejudice: You *suffer your Passion to make a Fool of you;* his Reverence has given the strongest Proofs of *true Patriotism*; he has delivered the Constitution from the basest Attempts to destroy it; he faces every Attack, encounters every Danger, despises every Obloquy; in short, he may say, with old *Sissredi* in the Play,

> * * * I have preferred my Duty,
> The Good and Safety of my Fellow Subjects,
> To all those Views that fire the selfish Race
> Of Men * * *

since he has, with boldness, and, as he says, with Truth, justified his Impeachment against the General Assemblies, who were *attempting to overturn the Constitution, and to restrain the royal Prerogative, by passing Acts which interfered with Acts confirmed by his Majesty, without a suspending Clause.* Now, Colonel, how can you exculpate the General Assemblies from this atrocious Crime?

The Rector's Patriotism, answered the Colonel, is as conspicuous as his Modesty and Politeness; but it is really *Matter of* Pleasantry, as this *Thersites*[1] said of the *famous* Petition, to hear him haranguing about the Constitution; which if he knows any Thing of, he does not care to make it Publick. The Constitution cannot be destroyed, nor the Royal Prerogatives restrained, by any Act of the General Assembly. The King, as Sovereign, possesses an inherent Power in the Legislature of the Colony, and can give his Allowance or Disallowance to any Act passed by

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[1] *Thersites only clamour'd in the Throng,*
Loquacious, Loud, and Turbulent of Tongue;
Aw'ed by no Shame, by no Respect controul'd,
In Scandal busy, in Reproaches bold:
With witty Malace, studious to defame;
Scorn all his Joy, and Laughter all his Aim.
—Pope's *Iliad.*

them; but as the Rector Boasts that I am not able to answer his Arguments upon this Head of Accusation, that I am *gravelled*, that *he hath caught my Gentleman tripping lightly over marshy Ground*, you must give me leave to examine into THE POWER OF THE GENERAL ASSEMBLY TO ENACT LAWS, which I believe will put an End to the Rector's Exultations; and convince you it was CONTEMPTIBLENESS, and not the WEIGHT of his Arguments that prevented my answering them in the Letter I thought proper to address to him.

I do not suppose, Sir, that you look upon the present Inhabitants of *Virginia* as a People conquered by the *British* Arms. If indeed we are to be considered only as the savage ABORIGINES of this Part of *America*, we cannot pretend to the Rights of *English* Subjects; but if we are Descendents of *Englishmen*, who by their own consent and at the expense of their own Blood and Treasure undertook to settle this new Region for the Benefit and Aggrandisement of the parent Kingdom, the native Privileges our Progenitors enjoyed must be derived to us from them, as they could not be forfeited by their Migration to *America*.

One of the greatest Lawyers, and the greatest Philosopher[2] of his Age, tells us "A Country gained by Conquest hath no Right to be governed by the *English* Laws;" and another no less eminent Lawyer[3] says, "Where the Country of a Pagan or Infidel is conquered, there, *ipso facto*, the Laws of such Country are Abrogated." And from hence I suppose, it was that a learned and upright Judge[4] gave it as his Opinion "That *Virginia* is to be governed by such laws as the King pleases." But certainly this great Judge was not acquainted with *Virginia;* if he was, he never would have given an Opinion which, with Respect either to the original or present Inhabitants of this Country, must be erroneous. It must be erroneous with Respect to the original Inhabitants, because they were never fully conquered, but submitted to the *English* Government upon Terms of Peace and Friendship fixed and settled by Treaties; and they now pos-

[2] *Lord Chancellor* Bacon.

[3] *Lord* Coke.

[4] *C. J. Holt.*.

sess their native Laws and Customs, savage as they are, in as full an Extent as they did before the *English* settled upon this Continent. It must be erroneous with respect to the present Inhabitants, because, upon a Supposition that their Ancestors were Conquerors of this Country, they could not lose their native Privileges by their Conquests: They were as much Freemen, and had as good a Right to the Liberties of *Englishmen,* after their Conquest, as they had before; if they had not, few of them I believe would have been induced, by so inadequate a Reward, to endeavor an Extension of the *English* Dominions, and by making Conquests to become Slaves.

Under an *English* Government all Men are born free, are only subject to Laws made with their own Consent, and cannot be deprived of the Benefit of these Laws without a transgression of them. To assert this is sufficient, to demonstrate it to an *Englishman* is useless: He not only KNOWS, but, if I may use the Expression, FEELS it as a vital Principle in the Constitution, which places him in a Situation without the reach of the highest EXECUTIVE Power in the State, if he lives in an Obedience to its laws.

If then the People of this Colony are free born, and have a Right to the Liberties and Privileges of *English* Subjects, they must necessarily have a legal Constitution, that is, a Legislature, composed, in Part, of the Representatives of the People, who may enact Laws for the INTERNAL Government of the Colony, and suitable to its various Circumstances and Occasions; and without such a Representative, I am bold enough to say, no law can be Made.

By the Terms INTERNAL Government, it may be easily perceived that I exclude from the Legislature of the Colony all Power derogatory to their Dependence upon the Mother Kingdom; for as we cannot lose the Rights of *Englishmen* by our Removal to this Continent, so neither can we withdraw our Dependence without destroying the Constitution. In every Instance, therefore, of our EXTERNAL Government, we are, and must be subject to the authority of the *British* Parliament, but in no others; for if the Parliament should impose laws upon us

merely relative to our INTERNAL Government, it deprives us, as far as those laws extend, of the most valuable Part of our Birthright as *Englishmen,* of being governed by laws made with our own Consent. As all Power, therefore, is excluded from the Colony of withdrawing its Dependence from the Mother Kingdom, so is all Power over the Colony excluded from the Mother Kingdom but such as respects its EXTERNAL Government. I do not deny but that the Parliament, as the stronger Power, can force any Laws it shall think fit upon us; but the Inquiry is not what it can do, but what Constitutional Right it has to do so: And if it has not any Constitutional Right, then any Tax respecting our INTERNAL Polity, which may hereafter be imposed on us by Act of Parliament, is arbitrary, as depriving us of our Rights, any may be opposed. But we have nothing of this Sort to fear from those Guardians of the Rights and Liberties of Mankind.

But it may be objected, that this general Position excludes all the laws of *England,* so as that none of them are obligatory upon us in our INTERNAL Government. The Answer to this objection obvious: The common Law, being the common Consent of the People from time immemorial, and the "Birth-right of every *Englishman,* does follow him wherever he goes," and consequently must be the GENERAL Law by which the Colony is to be governed. So also the Statutes of *England,* in Force at the Time of our Separation having every Essential in their Institution to make them obligatory upon our Ancestors, that is, their Consent by their Representatives and having the same Sanction with the common Law, must have the same extensive Force, and bind us in the same Manner the common Law does; if it was otherwise, it would involve this Contradiction that of two Laws made by the same Power one is coercive upon us when the other is not so, which is plainly absurd.

From these principles, which I take to be incontrovertible, as they are deduced from the Nature of the *English* Constitution, it is evident that the Legislature of the Colony have a Right to enact ANY Law they shall think necessary for their INTERNAL Government.

200786

But lest these Principles, plain and evident as they are, should be controverted by the Rector, or some other of Sir *Robert Filmer's* Disciples who perhaps may assert that the King by his Prerogatives can establish any Form of Government he pleases in the Colony, I will examine the Power the General Assembly derives, by Grants, from the Crown, abstracted from the original Rights of the People.

King *James I.* by his Charter, under the great Seal of *England,* granted the Dominion of *Virginia* to the Treasurer and Company of Adventurers, and gave them full Power and Authority to constitute a Form of Government in the Colony, as near as might be agreeable to the Government and Policy of *England.* Pursuant to this Power, the Treasurer and Company, by their Charter, established the Legislature in the Governour, Council, and Representatives of the People, to be called the GENERAL ASSEMBLY, with "free Power to treat, consult, and conclude, as well of all emergent Occasions concerning the publick Weal of the Colony, and every Part thereof, as also to make, ordain, and enact, such general Laws and Orders for the Behoof of the Colony, and the good Government thereof, as shall from Time to Time appear necessary or requisite."

The General Assemblies have continued to exercise this Legislative ower, from that Time. King *James* left them in the full Possession of this Power upon his dissolving the Company; and King *Charles I.* in the Year 1634, by Order in his Privy Council, declared that "Interests which the Colony enjoyed while they were a Corporation should not be impeached, but that they should enjoy the same Privilege they did before recalling the Company's Patent." And in the Year 1642, under his Sign Manual and Royal Signet, he "confirmed the Form of Government, declared that they should ever remain under the King's immediate Protection, and that the Form of Government should not be changed."

After the Restoration, in the Year 1675, the General Assembly sent three Agents to *England,* to solicit a new Charter from the King *Charles II.* Their Petition upon this Occasion was referred by the King's Order in his Privy Council the 23d of *June,*

to his Attorney and Solicitor General, who reported their Opinion to the Lords of the Committee for foreign Plantations, "That it would be for his Majesty's Service and for the Increase of the Trade and Growth of the Plantation of *Virginia,* if his Majesty shall be graciously pleased to grant and confirm, under his great Seal, unto his Subjects in *Virginia* the Particulars following." And then they recite the several Heads of the General Assembly's Petition, one of which was, that the Power and Authority of the General Assembly, consisting of the Governor, Council, and Burgesses, may be by his Majesty ratified and confirmed; but with this Proviso, "That his Majesty may, at his Pleasure, revoke any Law made by them; and that no law so revoked shall, AFTER such Revocation, and intimation thereof from hense (*i. e.* from *England*) be further used or observed."

The Lords of the Committee for foreign Plantations presented this Report to his Majesty, in his Privy Council at *Whitehall,* on the 19th of *November,* 1675; which his Majesty approved and confirmed, and ordered a Bill to be prepared by the Attorney and Solicitor General for his Signature, in order to the passing Letter Patent "for the Settlement and Confirmation of all Things according to the said Report."

A complete Charter was accordingly prepared, and received the King's Signature; but before it came to the great Seal stopped in the Hanaper Office, upon receiving an Account of *Bacon's* Insurrection.

But though the Charter did not pass the great Seal, King *Charles* II. from that Time, and his Successours ever since, have inserted the several Clauses of it relative to the Power of the General Assembly, in their Commissions to their Governours; who have full Power and Authority, by and with the Advice of the Council, to call General Assemblies, and by with the Advice and Consent of the Council and Assembly, or the major part of them respectively, to make, constitute, and ordain Laws, Statutes, and Ordinances, for the publick Peace, welfare, and good government of the Colony, and the People and Inhabitants thereof;" Which Laws, Statutes, and Ordinances, of what Nature or Duration soever are to be, within three months, or sooner,

after making of them, transmitted unto the King, under the publick Seal of the Colony, for the royal Approbation or Disallowance and not approved, and so signified by the King under his Sign Manual, or by the Privy Council, unto the Governour, or Commander in Chief of the Colony for the Time being, then such and so many as shall be disallowed, and not approved, shall FROM THENCEFORTH cease and determine, and be utterly void and of no Effect.

From this short Review of our Constitution, it may be observed that the People have an original Right to a legal Government; that this Right has been confirmed to them by Charter; which establishes the General Assembly with a general Power "to make, ordain, and constitute Laws, Statutes, and Ordinances, for the publick Peace, welfare, and good Government of the Colony:" Which Power, by a constant and uninterrupted Usage and Custom, they have continued to exercise for more than one hundred and forty Years. And if what Lord *Coke* says, in *Calvin's* Case, is true, that "where the King by Charter, or Letters Patent, grants to a Country the Laws of *England,* or a Power to make Laws for themselves, he nor his Successours can alter or abrogate the same," we cannot be deprived of this Right, even upon the Rector's Principles of passive Obedience.

But it may be asked if the King's Assent is not necessary to give Sanction to the Acts of the General Assembly? I answer, it is necessary. As Sovereign, no Law can be made without his Assent, but then it is not necessary that he should be present in his royal Person to give his Assent; this is plainly impossible: He therefore gives Power, by commission under his great Seal to his Governour, to give his Assent; which, to speak in the Language of the Law, is, in this Case, a TESTE MEIPSO, and gives Life and Being to the Laws in the same Manner as if he was present in his royal Person.

The King frequently gives his Assent to Acts of Parliament by Commission to Persons appointed for that Purpose; he does the same Thing, by his Commission to the Governour, who thereby becomes the King's Representative in his Legislative Character: So that the Governour's Assent, to Laws here, is in Effect, the

King's Assent. But as the King cannot be informed of the Nature of the Laws passed by his Commissioner, while under the Consideration of the General Assembly, he reserves to himself a Power of abrogating them, not withstanding his Commissioners Assent; and FROM THE TIME of such abrogation and NOT BEFORE, they are to cease and determine.

But Colonel, said I, notwithstanding you have deduced your History of the Constitution from the royal Grants, and the established Principles of the *English* Government, his Reverence is in the right: He relies upon the King's Instructions to the Governour, which ought not to be infringed, but must have the Force and Obligation of Laws upon us.

I have, replied the Colonel, a high Reverence for the Majesty of the King's Authority, and shall upon every Occasion yield a due Obedience to all its just Powers and Prerogatives; but Submission, even to the supreme Magistrate, is not the whole Duty of a Citizen, especially such a Submission as he himself does not require: Something is likewise due to the Rights of our Country, and to the Liberties of Mankind. To say that a royal Instruction to a Governour, for his own particular Conduct, is to have the Force and Validity of a Law, and must be obeyed without Reserve, is, at once, to strip us of all the Rights and Privileges of British Subjects, and to put us under the despotic Power of a *French* or *Turkish* Government; for what is the real Difference between a *French* Edict and an *English* Instruction if they are both equally absolute? The royal Instructions are nothing more than Rules and Orders laid down as Guides and Directions for the Conduct of Governours. These may, and certainly ought to be, Laws to them; but never can be thought, consistently with the Principles of the *British* Constitution, to have the Force of Power of Laws upon the People. Which is evident from this plain Reason: Promulgation is essential to the Nature of Laws, so that no Law can bind any People before it is declared and published to them; but the King's Instructions are to be kept secret, and not published to us, no not even to the Council, unless the Governour thinks it for the King's Service. "You are to communicate (says one of these Instructions to the

Governour) unto our Council of *Virginia,* from Time to Time, such and so many of our Instructions as you shall find convenient for our Service." So that, from the Instructions themselves, it is evident that the King does not intend them as Laws to his People. Besides, the royal Instructions are drawn up in *England,* by Ministers who, from their distant Situation from us, cannot have so full and perfect a View of Affairs in the Colony as is necessary for those who are to be Legislators and supreme Directors of them. Sudden Emergencies will arise; present Occasions will be lost; and such quick and unexpected Terms are perpetually happening in all sublunary Affairs as require the utmost Vigilance and Celerity, and can never stay for such a distant Guidance and Command. The Ministers in *England* see nothing with their own Eyes that is passing amongst us, and know nothing upon their own Knowledge; and therefore are very improper Legislators to give Laws to the Colony. The King's Instructions then being only intended as Guides and Directions to Governours, and not being obligatory upon the People, the Governour's are only answerable for a Breach of them, and not the General Assembly; and if they are answerable only, they have the only Right of determining whether their passing Acts, upon particular emergent Occasions, is contrary to the Spirit and true Meaning of their Instructions or not. In short, Sir, the Council and House of Burgesses have a Right to Prevent any Act, relative to the Internal Government of the Colony, to the Governour for his Assent, without violating any Instructions; and the Governour has a Right, as the King's Commissioner, representing the royal Person, to give or refuse his assent to such Act, as he may think it agreeable or contrary to his Instructions, directing his Conduct in this Particular. This, I say Sir, the Council and House of Burgesses may do, from the general Powers with which they are invested by the Constitution, without being guilty of Attempts to restrain the Power of the Royal Prerogatives; which being committed to the Governour, he is to determine how he is to exercise it, and no other Person has any Thing to do with it in this Case. From hence then it is evident that the General Assembly may pass an Act which

alters or repeals an Act that has received the royal Approbation, without destroying the *old Constitution,* or *Attempting to bind the King's Hands;* and if such Act is passed, it must have the Force and Obligation of a Law until the King declares his royal Disallowance of it.

But since the royal Instructions are so much insisted on by the Rector, I will examine whether the same Doctrine I have endeavoured to establish may not be deduced from them.

I have no copy of the Instructions relating to this Question, nor have I been able to procure one; but, as I have formerly read them, I believe I can recite them tolerably exact.

By these Instructions the Governour is "not to give his Assent to any Act that alters or repeals any other Act without a suspending Clause, although the Act to be altered or repealed has not the royal Approbation, unless in Cases of great Emergency; nor is he to give his Assent to any Act that alters or repeals any other Act which has had the royal Approbation, without first obtaining the King's Permission, under the Penalty of being removed from his Government, and incurring the King's highest Displeasure." Now I infer from these Instructions that, admitting the Governour should pass an Act contrary to them, he subjects himself to the Penalties inflicted on him for a Breach of his Instructions, but the Act so passed by him has the Obligation of a Law until the King's Disallowance of it; for if such Act is void, AB INITIO, the Instructions would be absurd, because to restrain the Governour from passing an Act, which when passed is as absolutely void as if it had never existed, is absurd and useless.

Our Sovereign, therefore, knowing that, from the fundamental Principles of the Constitution, such Act must have the Force of Law, when passed by the Governour, has restrained him from giving his Assent in such a Case, under particular personal Penalties; but has left the Act to its Course, until he thinks proper to repeal it by his Disapprobation.

But this is not all; for as the Governour may pass an Act in a Case of great Emergency, though contrary to the general Tenour of the Instructions, it would involve a greater Absurdity,

if possible, should an Act be void, AB INITIO, which he passed by Virtue of the general Powers given him by his Commission under the King's great Seal, and another Act passes by him, under the same Authority, have the Force of a Law, because the Governor is of the Opinion that the Exigencies of the Colony make such Act necessary. Under such Construction, the Case is plainly this: The Governour passes an Act, in a Case of great Exigency, contrary to the strict Letter of his Instructions; which Act shall have the Force of a Law, because he thinks the Circumstances of the Colony require it: But if he passes such an Act when he thinks the Circumstances of the Colony do not require it, such Act shall be void AB INITIO. This is like the absolution in the *Romish* Church, which is of no Effect, though proclaimed with a loud Voice, unless the Intention of the Priest accompanies, and is too absurd to deserve any further Consideration. And yet into such an Absurdity must you fall, Sir, when you contend that such an Act is void AB INITIO, from a Construction of the royal Instruction to the Governour.

Neither will the Rector's hearsay Account[5] of one of the *revised* Laws make any Alteration in the Case, for the Land Law that was altered by this *revised* Law had never received the royal Assent; but the Reason why this *revised* Law laid *some Time dormant and unobserved,* was, that as it affected the King's grants of his Lands, a suspending Clause was added to it, so that it could have no Operation until the royal Approbation of it was obtained: And though this Approbation was obtained, it was not known to us for several Years after, when Mr. *Montague,* our present Agent, by Direction from the Committee of Correspondence, inquiring after it, found it in the Council Office in *England,* and transmitted it to us, from which Time it became in Force here.

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[5] *See Single and Distinct View, p. 37.*

BRAFFERTON MANOR.

Opposite to the President's house at the College of William and Mary stands a building known as the Brafferton. Carved on a brick near the south door are the figures 1723, representing the date of the foundation. It is of brick, is constructed in the Flemish bond, is two stories and a half high, and has dormer windows—three respectively in front and rear and one on each side. There are four rooms to the floor or twelve in all. The building is 54 feet long by 34 feet wide and is slightly smaller than the President's house.

This building obtained its name from the Brafferton estate in the North Riding of Yorkshire. The money with which it was erected grew out of the will of Hon. Robert Boyle, the eminent natural philosopher, who died in London in January, 1692, not long after Dr. James Blair's arrival in London in quest of a charter for the intended college in Virginia. The will provided that £5,400 sterling of his money should be employed in "pious and charitable uses," but the testator did not designate the character or locality of the beneficiary. By means of Bishop Burnet, Dr. Blair obtained an introduction to the Earl of Burlington, Boyle's nephew and executor, and entreated him to direct the fund to the support of an Indian school at the college. Burlington was interested, and consented to an investment in an English manor called the "Brafferton," in the north riding of Yorkshire, from which the rents, subject to £45 for Harvard College and £45 for the Society for the Propogation of the Gospel in New England, were to go to the college in Virginia. By the terms of the deed the college was to keep as many Indian children in meat, drink, washing, clothes, medicine, books and education, from the first beginning of letters till they should be ready to receive orders and be sent abroad to convert the Indians as the yearly income of the permises should amount to, at the rate of fourteen pounds for every such child.

Pursuant to the deed a teacher was employed and instruction given at the College to several Indian children, but it was not till

1723 that the rents from England had accumulated sufficiently to erect a building. In this building the school was then maintained and continued in this use till about 1793, when the fund by which it was supported was diverted by a decree of the English courts to the instruction of negroes in the West Indies (5 Vesey, Jr's., *Reports;* Brown's *History of the Propagation of Christianity* II., p. 625.)

In 1764 the Brafferton rents yielded to the College, in money annually £121.12s. The Master of the Indian School was paid out of this £50, and he received £25 more from the College. The balance of the fund was used in maintaining four or five Indian youth and keeping the building in repair. The Master was permitted to receive into his school white boys from the town to whom he taught the common English branches.

Among other relics in the College connected with the Brafferton are the portrait of Hon. Robert Boyle, by T. Kerseboom, presented by the Earl of Burlington, and an interesting map of the Brafferton Manor by George Pape, surveyor, 1772.

Two summers ago the Editor made a pilgrimage to Brafferton in Yorkshire and was received very cordially by some of the residents of the place. It is separated from Helperby, another small place, by a street. He visited the church, saw the site of the Hall, and on the suspension bridge looked over the sacred waters of the little Swale, with its ancient associations clustering thick about it. He learned that the foundation was now used to assist young men in preparing for the ministry. To Mr. Thomas N. Driffield especially, the Editor owes many courtesies during the day; and to this gentleman he now acknowledges another, in the form of an historical account of the Brafferton which will be interesting to many lovers of the past.

EXTRACT FROM GILL'S "VALLIS EBORACENSIS." HISTORY OF EASINGWOLD.

BRAFFERTON.

(Bradfortune—Domesday. Braftona—Dugdale. Brafferton.)

Brafferton evidently derives its name from the Broad-ford-tun, or the town at the broad ford, which crosses the Swale at this place, leading

from Easingwold to Boro' bridge. It is locally situated in the wapentake of Bulmer, and is five miles from Easingwold and four from Boroughbridge.

Brafferton is a place of great antiquity, and the visit and baptism performed here by Paulinus in 626, sheds a sacred influence over its history. Among the forty companions of St. Augustine, the Roman Missionary to Britain, was one,

> Of shoulders curved and stature tall,
> Black hair, and vivid eye, and meagre cheek,
> His prominent features like an eagle beak,
> A man whose aspect both at once appal,
> And strike with reverence.

This monk Paulinus, whose zealous endeavours affected the conversion of Edwin the Saxon King of Northumbria, and Bretwalder, or leader of the Britons. was instrumental in shaking the strongholds of British superstition in this part of the kingdom. After Edwin had embraced the Christian faith, Coifi, his high priest, renouncing his idolatry, was the first to profane the altars and temples of their idols, which were immediately burned to the ground. Gregory, Emperor of Rome, thus writes: "On the day of Christ's nativitie, he" (Paulinus) "did regenerate by lively baptisme above ten thousand men, beside an enumerable multitude of women and children. Having hallowed and blessed the river called in English Swale, the archbishop commanded by the voice of criers and maisters that the people should enter the river confidently, two by two, and in the name of the Trinitie baptise one another by turnes. Thus were they all born againe with no lessse a miracle than in times past, the people of Israel passed over the Red sea divided, and likewise Jordan when it turned backe, for even so, they were transported to the banke on the other side: and notwithstanding so deepe a current and channell, so great and so divers differences of sex and age, not one person took harme.

"A greate miracle no doubt, but this miracle as it was a greater preeminence doth surmount: in that all feebleness and infirmitie was laid off in that river: whosoever was sick and deformed returned out of it whole and reformed."

It is somewhat surprising how the little town of Brafferton could find accomodation for such a host as flocked to it on this important and interesting occasion, but the veracity of such an occasion cannot be doubted. Paulinus preached and baptised in other parts of this neighborhood. A cross near Easingwold commemorated the place of Paulinus' labours and the grassy banks of

> "His bounding river rolling darkly blue,"

since designated the Jordan of England, are lively attestatione of the lonely spot where men sought pardon and turned from idols to the living God.

At the time of the Doomesday survey, "in the Manor of Bradfortune Gospatric had five carucates to be taxed, land to two ploughs. There is now a church and a priest there, with one plough: half a mile long and half a mile broad. Value in King Edward's time, forty shillings, now ten shillings."

"In the same manor Gospatric had one carucate to be taxed, land to half a plough. There is one villein with one plough paying two shillings."

"In Bradfortune Haltor had one carucate without a hall. There is now under the earl one villein with half a plough and he pays three shillings." Brafferton constitutes a portion of the picturesque and romantic vale of Mowbray, and after the conquest we find that the town was held of the family de Riparia, who held it of Roger de Mowbray, and he of the king in capite or knight's service. From Roger de Mowbray, the manor of Brafferton came to the possession of the Riparias, most probably by marriage, for in 39 Henry III., A. D. 1255, Richard, son of Richard de Riparia granted to the abbot of Byland, common pasture in 300 acres of moorland in this territory, called "Pilmore."

In A. D. 1691, the Hon. Robert Boyle left £5400 for the advancement of the christian religion among the infidels, with which an estate was purchased at Brafferton. The Earl of Burlington and the Bishop of LONDON for the time being were constituted trustees, and 1693 directed that the proceeds should be given to William and Mary College, in Virginia, for the education of a certain number of Indian children. After the declaration of the American independence, the Court of Chancery decided that it could no longer be dispensed by the College, and confirmed a plan proposed by Dr. Porteus Bishop of London by which these revenues (nearly £1000 per annum) were appropriated to the conversion and religious instruction of the Negroes in the British West Indian Islands.

The Church dedicated to St. Peter stands on a commanding eminence on the eastern bank of the river Swale, on the very spot where Paulinus (it is said) preached christianity to the native Britons. It was an ancient rectory belonging to the patronage of the Riparias, till it was given to the Priory and Convent of Newburgh, by Henry de Riparia, to which it was appropriated and a vicarage ordained therein 3rd Mon. Julii 1311. The first rector was Dom Roger de Mowbray 11 Kal Apr. 1227, and the first vicar Dom ALANA de SOURELY. On the 4th the Id March A. D. 1336, the Rectory and the Vicarage were consolidated, and the union was confirmed 15th October A. D. 1365: but on the 14th October A. D. 1446, the church was again appropriated to the Priory and Convent of Newburgh and a vicarage ordained therein.

The present edifice was rebuilt with the exception of the tower in

1832, by public subscription at the cost of £1300. It consists of a body with chancel and tower. The old church was of the Tudor style of architecture, and the new erection partakes of a similar character. Among the ruins of the old church were discovered stones highly ornamented, whiche had belonged to a building of much greater antiquity than the Tudor or perpendicular character referred to.

On the outside of the chancel over the south door, are three shields, the first bearing, Quarterly 1, a cross patonce. 2 Neville a cross saltire differenced by a lozenge. 3 A goats head erased. 4 a horse's head (?) couped: the second quarterly 1st and 4th Neville differenced by a mullet, 2 a fess between three two-headed eagles displayed. 3. three garbs: the third quarterly, 1st and 4th a chief indented . . . 2nd and 3rd three escallops, impaling Neville, and underneath running round in black letters:

"Orate q' aia Radulh Nevvell Fundatoris istius cacellarii."

The tower contains three bells, on the largest is also inscribed in characters:

"1. Radulphus Neville, Armiger, IHS1598.

"2. Huius Sci Augustini.

"Jhu Fili Dei mis'ere nobis."

In the north aisle on a flat stone, is a crosier, supposed to be the tomb of a prior of newburgh, to whose convent the rectory was appropriated by Henry de Riparia. Augustine was prior of Newburgh in the time of Roger de Mowbray. In the chancel window, painted on glass are the arms of Neville, impaling azure, a cross botone, or. Also the arms of Neville impaling argent, a fess sable between three bears' heads erased, or, with this motto, Thole and think on.

Behind the pulpit is a handsome marble monument, with the following inscription:

I jn the memory of

LATON FREWEN TURNER ESQ, of BRAFERTON HALL,

who died July 19th 1777, aged 73. Also Mary his widow, who died April 23rd 1786, aged 73.

Beneath the above is the coat of arms with the various quarterings.

Brafferton contains a national school which is supported by subscription. Also a small Wesleyan Chapel. Population—Males 96, Females 106, Total 202, being an increase of 35 in the last ten years. The Rev. Wm. Gray A. M. Canon of Ripon Minster, is incumbent.

Brafferton Hall was one of those old fashioned houses whose picturesque beauties are so agreeably associated with the country and its

verdant scenery. The old building has been entirely removed, and no vestage remains but the thick and heavily buttressed garden walls, which contains about five acres of garden ground. A modern house has been erected on the site.

In the reign of Henry 6th (1441) while John Kemp was cardinal and archbishop of York, an affray took place between the king's foresters and the bishop's collectors, which is thus epitomised from the Plumpton Correspondence, and which we insert as following and furnishing some curious particulars as to the state of society at Boroughbridge and the neighbourhood during that unsettled period. It appears that the Bishop claimed and collected toll at Ripon and Otley, and such was the dislike of the people to these levies that riots and broils were the consequence. On the 4th May, 1441, Sir W. Plumpton and others laid in waiting at Skitbrig, to beat and slay the officers of the cardinal that had been at Ripon fair to collect toll. The cardinal's servants hearing of the ambush, went by Thornton Bridge, but the ambuscade learning of their intention, went to Thornton Bridge and Helperby, where they knew the officers and servant must pass, and "there fastened a lidyate in the high way at the town end of Helperby, towards York, with sticks, thorns and otherwise," to stop the cardinal's men there. And when they came near Thornton Bridge, Sir W. Plumpton with a great company of the foresters from Burg-brig, were in possession of the pass, whereupon the cardinal's men to avoid bloodshed, took them to a ford, half a mile thence called Brafferton-ford. Having passed the ford, Sir William and his men followed close upon them, and the cardinal's men finding the lidyate fastened and their passage stopped, were compelled by the pursuit and shote of the rioters to seek other ways, some by a long straight lane, and some by breaking off an hedge into a field, upon whom the said foresters followed and drove into a mire near at hand, noising and crying "Sley the archbishop's carles," and "would to God we had the archbishop here." In the which pursuits, assaults and shote, there was slain, Robert Hunter a gentleman, and Thomas Rooper, yeoman, and about twenty dangerously wounded. Several of the cardinal's servants were also taken prisoners, among whom were two squires—Peres of Cawood, and Thomas Mayne, and Henry Fox, a yeoman. Several horses were killed and wounded, and many of the cardinal's men were dispoiled of their horses, harness, gold, and silver.

LIBRARY OF THE COLLEGE OF WILLIAM AND MARY.

There is perhaps, despite the general neglect and injuries of fire and war, more evidence of refinement in Colonial Virginia, preserved by means of costly tombs, book-plates, and records of libraries than in any other of the colonies. John Eliot had the most comprehensive library in New England between 1713 and 1745, but Eliot's library was largely exceeded by the libraries of William Byrd, Richard Lee, William Dunlop and others in Virginia. As shown by the inventories of estates from the earliest times every independent planter was the possessor of a few books.

Soon after the foundation of the College in 1693, the beginning was made of a library, but this first collection perished in 1705, when the main library building was injured by fire. The collection was started anew after the restoration was begun.

Hugh Jones in his *Present State of Virginia* tells us in 1723 that the College had a small library enriched of late by the kind gifts of several gentlemen, but the sets of books were not all perfect nor of the best quality. In 1729 Sir John Randolph was authorized to make a purchase of books for the library in London. In 1734 the General Assembly of Virginia gave the College the duty of one penny per gallon on liquors imported, provided that some part thereof should be spent in books. A book with the printed label "The Gift of the General Assembly of Virginia in the year 1734" is still preserved in the College Library. This book is entitled "The Aeneid of Virgil—Translated by Mr. Pitt. In two volumes, Volume the First, London, MDCCXL."

Soon after this the Earl of Burlington presented the portrait and works of his uncle the eminent philosopher and philanthropist. The portrait still hangs in the Library and has the inscription on the frame: "The gift of the Earl of Burlington."

In 1743 occurred the death of Dr. James Blair, president of the College and, thereupon, his library came into the possession of the Institution. It was chiefly religious, as it was said to con-

tain "many good editions of the Fathers." Some books were presented by Governors Spotswood, Gooch, Fauquier, Dinwiddie and Dunmore and by Bishops and Archbishops of England. Of these Governor Spotswood made his will at the Brafferton Building just before he went to Annapolis to assume command of the expedition against Carthagena. He left "all his books, maps and mathematical instruments" to the College of William and Mary, as acknowledgment of "the courteous reception I have now met with here in Brafferton house and the civilities I have received from the Masters of said college." One of the books is preserved entitled: "Description des chateaux et Parcs de Versailles de Trianon et de Marley Par M. Pigniol de la Force Tome Premier. A Amsterdam chez David Mortier Libraire MDCCXV." On the fly leaf is inscribed in writing evidently contemporary: "The gift of the late Major-General A. Spotswood to the College of William and Mary in Virginia, 1740."

About 1784 came a gift from King Louis XVI. of France of two hundred books in beautiful editions.[1] There are only two preserved: Vol. I. and Vol. II. of the works of Mr. Baily. Le tretise sur L'Allantiade de Platon et sur L'Ancienne Histoire de L'Asie, A Londres, chez M. Elmersley et Paris chez les Freres Debure, Quai des Augustines MDCLXXIX. The King made a similar gift to the University of Pennsylvania, and many of that collection are preserved.

In 1781 the number of books in the Library was estimated at 3,000. The collection grew slowly by gift or purchase, and in 1859 numbered 8,000 books—not counting pamphlets and manuscripts. Many of the editions were very valuable and among the manuscripts was the original surveyor's license granted George Washington in 1749, which the authorities prized highly and had framed and hung on the Library walls. The Library was then in the upper part of the north wing of the College over the chemical laboratory.

On February 8, 1859, the College caught fire, and in the flames which consumed the building the collection of one hun-

[1] These books are referred to by de La RocheFoucauld Liancourt in his "Travels," 1796.

dred and fifty years perished almost completely, including the commission to General Washington.

In a year's time the College was again restored, and the new Library started with about 6,000 volumes obtained partly by purchase and partly by the donations of public spirited individuals. But the war for Southern independence soon breaking out, this number was not largely increased. In 1862 the main building was set on fire by Federal troops, but the books in the Library and the six portraits in the Faculty room had been removed fortunately to the President's house and were preserved.

After the restoration of the main building in 1867 the Library was located in the south wing adjoining the chapel and separated from it by folding doors, thus enabling the two to form one hall on public occasions. In 1881 the College suspended work for want of funds, and, when it started again in 1888, under the auspices of the Legislature, the collection did not exceed 6,000 volumes exclusive of pamphlets. It then began to grow quite rapidly, and in 1905 the collection amounted to about 12,000 volumes.

In the latter year a movement was started by President Lyon G. Tyler for more commodious quarters and an endowment fund. This was accomplished chiefly through the munificence of Andrew Carnegie, George Clinton Batcheller, of New York; Joseph Bryan, of Richmond; R. Fulton Cutting, of New York, and Thomas Nelson Page, of Virginia. Then the fund was further increased by Mrs. Sarah B. Van Ness, of East Lexington, Mass., and Mr. Edward W. James, of Norfolk, Virginia. Mr. Herbert A. Claiborne contributed $1,000 for the purchase of Virginia books. The new building for the accommodation of the Library was completed in 1908, and is of brick with stone trimmings; it is eighty feet in length by thirty feet in breadth with a stack room attached. It contains about 15,000 printed and manuscript volumes, some of the latter of much interest—such as the original journal of the Phi Beta Kappa Society from 1776 to 1781, the Bursar's book, containing accounts with Thomas Jefferson, James Monroe, and other students; the Faculty books, etc. It is adorned with many portraits of eminent alumni and interesting engravings of distinguished scenes and persons.

On Friday, April 13, 1908, the corner stone was laid with appropriate exercises, and on Friday, May 14, 1909, the Library was opened to the public. On the latter occasion the State Librarian, H. R. McIlwaine, was present and made an interesting address, well worthy of preservation and publication.

COBB OR COBBS FAMILY.

The Cobb or Cobbs family were first represented in Virginia by 1 AMBROSE COBBS, who on July 25, 1639, patented 350 acres upon the Appomattox River for the importation of himself, Anne his wife, 2 Margaret his daughter, 3 *Robert* his son, Richard Barker, Hugh Barker, Thomas Harvey. From the records of York County he appears to have had two other sons: 4 *Ambrose*, 5 Thomas, which last died in 1702 without issue.

3 ROBERT[2] COBBS (son of Ambrose[1] Cobbs) was, according to his deposition, born in 1627, and lived in Marston Parish, York County, of which he was church warden in 1658. When Marston Parish was absorbed in Bruton Parish in 1674, he was a member of the vestry of the new parish. After Bacon's Rebellion he was appointed justice of York County on the following recommendation of the clerk, John Baskervyle:

"To the R^t^ hon^ble^ S^r^ William Berkeley, Kn^t^ Gou^rn^r, &c.

John Baskervyle in behalfe of Yorke County most humbly presenteth. That the said County being of large extent but few magistrates to officiate, some being lately decd, humbly prays that M^r^ William Booth, M^r^ Edward Mosse & M^r^ Robert Cobb may be admitted by yo^r^ Hon^r^ into the commission, being reported Loyall & honest subjects. And he shall ever pray &c. The 23^th^ March 1676-7 this peticon is granted, and these are ord^rd^ to be sworn at the next County Court. Teste Henry Hartwe'l. Cl. Con."

In 1682 Mr. Cobbs was appointed sheriff of York County by Sir Henry Chicheley. In 1679 Daniel Parke, Secretary of State, died and Mr. Cobbs was administrator of the Virginia estate of Col. Parke. He married Elizabeth ———, born according to her deposition, in 1634. He died Dec. 29, 1682, and

she on October 7, 1684. (Bruton Parish Register.) He left a personal estate valued at £80 12.01.

He had issue 6 Edmund married Frances ————, and died Dec. 21, 1682. They had no issue, and the widow Frances married 2dly John Stewart, of York County; 7 *Ambrose;* 8 Otho, who appears to have died without issue; 9 *Robert.*

"The deposition of Elizabeth Cobb aged 50 years saith: That whereas my decd husband, Robert Cobbs, did putt a child to school to Valentine Evans to Learne him to wright & reade at the rate of twenty shillings a year, I the sd Eliz. Cobbs being informed y^t^ the s^d^ M^r^ Evans never took any more of any one than twenty shillings as Affores^d^, did send another sonn to be instructed as afforesd, & yo^r^ depon^t^ is willing to make satisfaction for the time that my sonn was with him, and further saith not—Eliza Cobb E. C. (*Signum*). ....

Sworne before mee the 21 July 1684, Martyn Gardner. Recorded July 26, 1684."

"It is or^d^ered upon the peticon of Otho Cobb that M^rs^ ffrances Relict of her decd husband Edmund Cobb give bond with security to y^e^ court for y^r^ Estate of M^r^ Robert Cobb, deceased, father of the said Otho y^t^ y^e^ same be not imbezzled or wasted and y^t^ shee be accomptible for y^e^ same after y^e^ expiration of nyne monthes after her said husband^s^ decease, shee being therewith possest as his Relict."

Abstract of the will of Edmund Cobb of York County, Bruton Parish: Negroes to brother Ambrose Cobbs and my gold ring which was my father's. Brother Otho and Robert Cobbs, son-in-law (stepson) Matthew Pierce, wife Frances, cousin Eliza Kerle. Dated March 2, 1690-91—proved March 7, 1693. In 1693 Otho Cobbs stated that he was of full age and petitioned that Mrs. Frances Cobbs, widow of Mr. Edmund Cobbs, de'cd, be summoned to the next court in regard to his father's estate.

7 AMBROSE[3] COBBS (Robert,[2] Ambrose[1]) was churchwarden of Bruton Parish Church at Williamsburg. He married Elizabeth ————, and his will dated April 24, 1718, was proved June 16, 1718. It names daughter 10 Frances; 11 *Robert;* 12 *Thomas;* 13 John, to whom a negro boy that belonged to the estate of Thomas Pinkethman; 14 *Edmund;* 15 *Ambrose.* Witnesses Ann Frith, Joseph Frith, Matthew Pierce. Wife and sons Robert and Thomas were made exors.

11 ROBERT[4] COBBS (Ambrose,[3] Robert,[2] Ambrose[1]) married probably the daughter of Abraham Vinckler of James City Co., and his will was proved in York County in 1727. He gives his estate to be divided among "all his children." Sons 16 Vinckler and 17 John Cobbs appointed executors.

12 THOMAS[4] COBBS (Ambrose,[3] Robert,[2] Ambrose[1]) married Mary Shields, named in the will of her father James Shields, of Williamsburg. He made his will in 1736 and names 18 Ambrose, 19 Thomas, 20 Matthew. This will was proved in York County, September 17, 1750, and was witnessed by Ben Eggleston, Edmund Cobbs and James Shields.

In Chesterfield County, in 1752, 1110 acres were divided among Ambrose, Thomas and Matthew Cobbs.

In the same county, in 1783, Ambrose Cobbs made his will and names his 4 sisters—Elizabeth Booth, Hannah Marshall, Mary Perkinson and Phebe Cobbs.

4 AMBROSE[2] COBBS (Ambrose[1]) appear to have died about 1688 and had issue: 21 *William,* 22 Robert.

In 1688 the York records mention George Glasscock as marrying Mary, relict of Ambrose Cobbs, and mother of William Cobbs.

Will of Thomas Cobbs made December 18, 1702, and proved February 4, 1702: To cousin William Cobbs, my house and lot where I now live, and if he died then the same to go to Thomas Cobbs; To Isaac Sart a black mare running now at Powhatan; two sows to Alice Newman; to Robert Cobbs, son of Ambrose Cobbs; all the remaining part of my estate to cousins Ambrose Cobbs, Robert Cobbs, Otho Cobbs and Robert Kerle, to be equally divided between them.

Sept. 25, 1702. In the difference between William Cobbs, son of Ambrose Cobbs deceased and Coll. Edmund Jenings, wherein the plaintiff requires the defendant to give an account of what part of his deceased father's estate he has in his hands as trustee to the same, and sold at Public outcry 13 Oct., 1690.

Nov. 24, 1705. The return of the appraisement of William Cobbs deceased is continued—Mary Cobbs, the administrator.

21 WILLIAM[3] COBBS (Ambrose,[2] Ambrose,[1]) and Mary his wife: (She was probably Mary Timson) had issue (perhaps) 23 *Samuel Cobbs*—first of York County and then of Amelia County.

In 1719 Samuel Cobbs obtained a license to keep ordinary in Williamsburg. In 1717 he married Edith, daughter of Jean Marot, a French Huguenot innkeeper of Williamsburg. He removed to Amelia County and his will dated June 27, 1757, was proved there July 28, 1757. His widow, Edith's will was dated March 9, 1758, and was proved July 2, 1761.

23 SAMUEL[4] COBBS and Edith Marot had issue: 24 John Catlin Cobbs; 25 Samuel Cobbs, who had houses in Williamsburg; he was probably the student named in the catalogue in 1754. 26 Anne married Col. Edward Booker, of Amelia in 1739; 27 Edith married Edmund Booker, who died in 1792; 28 Sarah, who married George Booker which last died in 1791; 29 Theodosia, died unmarried in 1782; 30 Judith married ———— Eggleston; 31 Mary, wife of John Le Neve to whom 100 acres in Prince Edward County.

24 JOHN CATLIN[5] COBBS (Samuel[4]) married Rachel Smith, in 1767, and his will dated Feb. 8, 1800, was proved in Amelia County, Oct. 23, 1800. It names wife Rachel and children: 32 Edith Asselin, wife of Francis Asselin; 33 Sarah Booker, wife of Richard Booker; 34 Samuel Cobbs; 35 Thomas W. Cobbs; 36 John C. Cobbs; 37 Edward S. Cobbs. Administrator Francis Anderson and Richeson Booker.

25 SAMUEL[5] COBBS (Samuel[4]) married Elizabeth Munford in 1768. (Marriage bond.) She was the daughter of Thomas Munford of Amelia, whose will was dated March 5, 1785, and names children Ann Munford; Thomas Munford; Martha Booker, wife of Samuel Booker; Edward Munford; Eliza Cobbs; Sarah Wily.

14 EDMUND[4] or 15 AMBROSE[4] COBBS, sons of 7 Ambrose[3] Cobbs, was probably father of 38 *Samuel;* 39 Edmund and 40 *John Cobbs* of Louisa County.

38 SAMUEL[5] COBBS (Edmund[4] or Ambrose[4]?) married Mary, daughter of Col. Robert Lewis and his will dated Sept., 1758 was proved in Louisa County, November 28, 1758.

Will of Samuel Cobbs of the parish of Fredericksville, County of Louisa, Virginia: Names wife and three children: 41 Jane, 42 *Robert*, and 43 Judith, brothers Edmund and John Cobbs. Has land on the Blackwater in Bedford County. Should all my wife's children die without issue, then so much of my estate as came by my wife shall be equally divided among the children of Jane, the wife of Thomas Meriwether, of Louisa County, and Ann, the wife of John Lewis of Spotsylvania County. Mr. Samuel Dalton, Mr. Nicholas Lewis, and brother Edmund Cobbs executors. Dated Sept., 1758, proved Nov. 28, 1758.

42 ROBERT[6] COBBS (Samuel Cobbs[5]) married Ann Gizzage Poindexter, Nov. 19, 1783, in Louisa (Register) and had 43 John Poindexter, born May 2, 1785. A Robert Cobbs was a Captain in the Revolutionary Army and received land bounty. He is said to have moved to Georgia where he has descendants. A Robert Cobbs was living in Halifax County in 1761. (Hening, *Statutes at Large*, VII., 421.) His will dated Jany. 19, 1769, names children, Ann, Elizabeth, Judith, Samuel.

40 JOHN[5] COBBS, or COBB, brother of 39 Samuel[5] Cobbs, married in Granville Co., N. C., in 1769, Mildred Lewis, daughter of Howell Lewis, son of Col. Charles Lewis of the Byrd (brother of Col. Robert Lewis above mentioned). (Marriage bond at Oxford). They moved to Georgia. Issue: 44 Howell Cobb (born Aug. 3, 1772, died May 26, 1818). Captain U. S. A., an M. C. from Georgia, married Martha A. Jaqueline Rootes; 45 Mary Willis Cobbs married Robert W. Flournoy; 46 Susannah, married Charles Bostwick; 47 Henry Willis Cobb, married Obedience D. Bugg; 48 *John Adison Cobb*, born January 5, 1783, married Sarah Robinson Rootes; 49 Mildred H. Cobb, married William H. Jackson.

48 JOHN ADISON[6] COBB (John[5] Cobb) was born January 5, 1783, and died Nov. 21, 1855, married April 11, 1812, Sarah Robinson Rootes (born Sept. 20, 1792; died July 23, 1866).

Issue: 50 Gen. Howell Cobb, U. S. Senator; 51 Laura Battaile Cobb; 52 Mildred Lewis Cobb; 53 Thomas Reade Rootes Cobb; 54 John B. Cobb; 55 Mary Willis Cobb; 56 Sarah Martha Cobb. The issue of them is given in *Va. Magazine,* IV., 332, 333. See also WILLIAM AND MARY QUARTERLY, XI., 40, 41.

9 ROBERT[3] COBBS (Robert,[2] Ambrose[1]) lived in York County. He married I. Rebecca daughter of William Pinkethman. She died in 1715 leaving issue: 57 Elizabeth, born in 1704, married James Shields in 1719; 58 Rebecca. He married II. Elizabeth, daughter of Daniel Allen and had 59 Sarah, who married Robert Jones, Jr., of Sussex Co., who moved to North Carolina and was Attorney-General of that State and they were parents of the distinguished Allen and Willie Jones of the Revolution; 60 Martha, she married Major Dudley Richardson. WILLIAM AND MARY QUARTERLY, VI., 121, *Va. Magazine,* X., 101, 196. After the death of Robert Cobbs his widow, Elizabeth, married Samuel Weldon, of Henrico County, Va.

In Campbell County is the will recorded of Charles Cobbs, Senior, dated March 3, 1798, and proved January 13, 1800. It names wife Ann and children (1) Jesse, (2) John, (3) Charles R., (4) Caleb, (5) William W., (6) Samuel D., (7) Thomas, (8) Frances Rodgers and her children, William Rodgers, Elizabeth Ann Rodgers and Ann Walton Rodgers. He made his sons Jesse and John Cobbs and Edmund Herndon, exors., and his friends Robert Alexander and Thomas Clark, counsellors to them as they may need. Witnesses, Williston Talbot, Edmund Johns, Josiah Crows, Robert Carter, Thomas Cobbs, James Cobbs and Moses Cobbs.

Rev. Nicholas Hamner Cobbs was born in Bedford County, Virginia, on 5th April, 1796. He was the eldest son of John Lewis and Susan Cobbs. He married Lucy H. L. Cobbs, his first cousin. After serving as pastor in Bedford, and Petersburg, and Cincinnati, he became Bishop of Alabama, where he died at his home in Montgomery on January 11, 1861. He had ten children whose names are given in Slaughter's *Bristol Parish.*

ENGLISH WILLS.

Contributed by Lothrop Withington.

WILLIAM KELLY. Will May 21, 1707; proved 10 May 1708. Spithead. Mr? (Mrs.) Moore we are now ordered to carry the Governour of Virginia thither with all Expedition and then to take the Fleet there home in Convoy" * * * "God knows whether I may live to return home." I give all my wages to you all from your loving Freind Wm. Kelly. "To Mrs. Moore at the Signe of the Noah's Ark in West Street in Gravesend in Kent these." 10 May 1708 appeared personally Jasper Ridley of St. John Wapping, County Middlesex Marriner and Rene de la Hay of St. Margaret Westminster, County Middlesex Gunsmith swearing to writing of Wm. Kelly late second mate of H. M. S. 'Ruby' Bachelor. Proved by Elizabeth Moore (wife of David Moore now on the high Seas in H. M. S. 'Panther') universal legatee. Barrett 118.

MALIVERER LUSHER about the age of 18 years. Will 22 November 1599; proved 10 December 1599. My body to be buried where my father and Mother was and my grandfather Richard Martin Alderman to be my executor. I give to him my chain of gold and three silver boules, and the lease of my house which remaineth in the hands of Mrs. Pulford. To my welbeloved father Mr. Doctor Ceaser my bigest gold ringe. To my mother in law one of my mouses. To my loving sister Dorcase Ceaser my chaine of perle, my greate shippe Jewel and the writings touching the munirall and Battrie workes which weare give me by my father Mr. Doctor Ceaser. To my brother Juby the gold ringe which was my mothers. To my brother Charles the ringe my Lady Comberlande gave me. To Eldest and youngest sister in lawe Jewels. To my neve John Martin Junior, little golde ringe. To my neve Elizabeth Martin my girdle sett with Buttons of gold. To Mrs. Pullford my muscovy girdle which was my grandmothers. To my neve Pinder thelder my mandrake. To Mrs. Pulford daughter my silver hathed knife. To Mrs.

Francis my silver Bottkine. To Gregory Browne my great parchment booke. To Mrs. Browne a pair of sheets, my goddaughter Mrs. Brownes daughter a silver porringer. Witnesses: Jo. Millward, Lamty, Jhusha Deile, Alls Vince, Dorcase Knighte. Archdeaconry of London 1594-1604. Reg. 5, fo. 143.

ROBINSON FAMILY.

Some corrections should be made in the article on the Robinson family, published in Vol. XVIII. On page 181 it is said that the death of Christopher Robinson occurred in 1690. This is the date in the Bishop John Robinson's pedigree (as copied), but it was really 1693, as his will was proved in 1693. On page 185 it is stated that Robert Robinson was a student at William and Mary in 1780, and went away with his cousin Christopher to join the British Army in New York, where he had another cousin, Col. Beverley Robinson. This statement is not correct. The catalogue of the College does not claim Robert Robinson, and he did not go with his cousin Christopher, who left the College in 1780, but with Francis Hargraves, in 1778, as is shown by the following letter copied from the 2d volume of Hargraves' correspondence book, who was a tutor first in the Churchill and then in the Robinson family.[1] (His first volume has not been preserved as far as known.)

HALIFAX, 21st Jany 1779.

Dear Sir,

I wrote to you soon after my arrival here which was on the 5th of May last but by a letter from Lord Howe, sometime ago, it appears that the packet, which sailed from hence for New York in that month was unfortunately taken by an American Privateer and carried into New London. You may conceive how much I was vext by this accident but I must make myself as easy as I can and keep in my mind the old story

[1] In a letter from 41 Crown St., Halifax, Feb. 26, 1779, Hargreaves states that Col. Churchill's family was very sorry when he left them, which he did by a strategem. He was succeeded by one Jackson, an Englishman, who had been an exciseman in the north of England and was transported for smuggling. He says that one of the neighbors

of Pandora. (Here he tells the story at length.) I shall recapitulate what I said in the former letter. I told you that about a week I had set sail for your city I was turned out of the Cabbin into the steerage on the Supposition that I should bilk the Captain when I got to Liverpool which however I did not but paid him honourably or at least honestly but I blame him not for this notion was instilled into him by one of the Passengers (Ashbourne by name, whose brother was formerly Captain of a ship which went to James River). As for Captain Shannon his behaviour to me at Liverpool convinced me that he was innocent, for upon paying him my Passage which was seven Guineas, he generously gave one back, and expressed his sorrow for my bad Treatment. Ashbourne was in the same employ and had an eye on the Captain's conduct, who therefore could not act otherwise than as he did.

And now I am upon my legs (as S^{r} W^{m} Howe said lately in the House when he began to abuse Lord Germain) I shall first mention the Parson whom I found to be an ignorant self sufficient Puppy. He spent most of his time in making or rather stealing sermons from old Magazines, which he said he intended to publish when he got to London, but truly they have not yet transpired * * *

I hope you'll write by the first Packett after receiving this and let me know what success you have met with, and whether you have heard from Virginia or not. If you have any opportunity of sending them, I beg to be remembered to your father, his family and all my worthy friends and acquaintances, and let Mr. Ross know that Mr. Gregory and myself have interchanged a few letters concerning his plantation in Virginia.

I long to hear from you, therefore I again conjure you not to fail writing by the first Packet. When there is no Packett you might write by Private hands when a convoy sails. Which I cannot do here being inland. I am afraid you will not direct right, for if you don't say Halifax Yorkshire, the letter will go to Halifax in Nova Scotia which would be a sad blunder. If your letter does not miscarry you shall hear from me as soon as I receive it if it is unfortunate I will write again about July. I shall now conclude wishing you all prosperity.

I am yours F. HARGREAVES.

To Robert Robinson Esq. to the care of Mr. A. Wilson, Merchant, Queen's St., New York.

The following letter was omitted in the first volume and should have come after the journal. The above gentleman is the Person mentioned in this letter.

---

of the Robinsons was Col. Jasper Clayton, who had two sons, Jasper and Thomas Whiting Clayton.

LIVERPOOL, May 5th 1778.

Hond Fr,

I this morning, after a series of various Fortune had the great pleasure of setting my feet upon loyall ground being just arrived on the Jenny Capt Shannon from New York, to which place I was conveyed at the expense of his Majesty.

I was happily situated in Virginia in a genteel family as tutor to two children, had 25 £ p year, here I intended to have spent my time till some alteration took place, but it was my fortune or misfortune to be draughted into the Regular Service. I therefore determined to make my Escape, which, with a son of the gentleman with whom I lived, I did, tho' at the Risque of my Life. We got on board the St. Albans of 64 guns the Honble Richard Onslow Commander which, with a number of other ships, was stationed in Chesapeake Bay, and was sent to New York in the La Fortune, a French Prize ship.

I left my friend in New York, he is going into the Royal army, having a near relative a Colonel in De Lanceys Brigade. I took passage a few days after my arrival there in the above ship being an Irishman, but had some Tobacco on board for this place.

I just now waited on Mr Wilson on whom I depended as your friend to pay my Passage &c. for you know Continental will not pass in these kingdoms. He has behaved extremely kind & I am going to dine with him to-morrow; he congratulates you on my arrival. I shall take the coach here on Thursday morning. therefore I presume I shall be with you on Friday morning. I was overjoyed to hear from Mr Wilson that you were well when he was last at Halifax. My love and duty to my dear Mother, tell her she sees how punctual I am and that neither

" * * * * The war of Elements,
The wrecks of matter nor the crush of worlds"

could make me alter my purpose of returning in five years time.

Excuse this incoherent stuff, tho' Mr Wilson says I write very well, considering I am but just come from sea. You must remember me to all enquirers. This almost might, therefore till I have the Happiness to see you, I must remain your long lost but new found son.

F. HARGREAVES.

To Mr Jno Hargreaves, Crown St. Halifax.

Miss Lucy Lilly Temple, of Richmond, writes that Mr. T. W. Robinson is in error in supposing that the Yankees burnt down the "Locust Grove" house. It is still standing. "We have oil portraits of Mrs. Potter and Mrs. Burwell taken as young girls, together with a bill from a London firm for shoes of Miss Potter and Miss Grymes."

NEVILLE FAMILY.

"Col. Zachariah Nevill was a member of the House of Delegates from Nelson County, Va., in 1829; died in 1830. He was a son of Col. James Nevill (born in 1728; captain in French and Indian War; sheriff of Amherst, 1763-1765; county lieutenant in Revolution, etc.; died December 20, 1784), son of Captain James Nevill (born probably before 1700; owned land on south side of James River in 1724; captain in Goochland, 1740, etc.; died 1752). He was probably a son of John Nevill, of Isle of Wight County, Va. Several of the name and many of the kindred were among the founders of Virginia, and several of their descendants and many of their kindred settled in Virginia.

Hon. Paul C. Cabell married (second) in 1873, Lou Mundy, daughter of Col. Jesse Mundy and his wife, Louisa Nevill, daughter of Col. Zachariah Nevill and his wife, Ann Scott Jefferson." (From Brown, *Cabells and Their Kin.*)

From the papers of a chancery suit in the old Williamsburg Chancery Court entitled *Thomas* vs. *Neville*: Captain James Neville, of St. Anne Parish, Albemarle County, made his will March 7, 1752, which was proved November 9, 1752. He married twice: By his first wife, name not given, he had (1) James Neville, who died 1784 leaving Lewis; (2) Joanna Brown; (3) Hannah Matthews; (4) Mary Douglas. By his second wife, Lucy Thomas, he had: (5) Cornelius Thomas, born out of marriage, who married and had John, Cornelius, Elizabeth, married John Wood, Lucy, married James Lewis, Sally, married Thomas Moore; (6) Bethania (also born before marriage) married George Hilton; (7) Martha, married Henry Hobson; (8) Elizabeth, died under age and unmarried; (9) Judith, married Robert Mitchell, of Richmond, Virginia; (10) Sally, married I. Michaux, II. Vaughan, and had issue a son Jacob Michaux and 3 daus. Sally, married Christopher Haskins, Judith, married I. William Hendrick, II. Palmer, and Lucy, married Tscharner Woodson. The widow, Lucy Neville, married 2dly Abraham Childress.

HISTORICAL NOTES AND QUERIES.

MR. JEFFERSON AS A SPEAKER. It is often said that Mr. Jefferson was no speaker. Edmund Randolph ought to know. He knew him from a young man and was thrown intimately with him. This is his testimony in his manuscript history of Virginia: "Indefatigable and methodical, Jefferson spoke with ease, perspicuity and elegance. His style in writing was more impassioned, and although often incorrect, was too glowing not to be acquitted as venial departures from rigid rules. Without being an overwhelming orator, he was an impressive speaker who fixed the attention. On two signal arguments before the general court, in which Mr. Henry and himself were coadjutors each characterized himself. Mr. Jefferson drew copiously from the depths of the law, Mr. Henry from the recesses of the human heart."

SOUTHERN CONTEMPT FOR LABOR. Was there ever any truth in this assertion? The Southerner never declined hard work, provided it was for himself. But he hated to receive orders from any one. He wanted always to be a free man. The Southerner before the War was fundamentally a democrat who admired the poor man like Henry Clay who made his way up. But Clay, like other Southerners, did not like supervision. The South was politically a white Democracy much more levelling than the North. Every white man had to be addressed as "Mr." Socially their rich planters lorded it among their slaves, but not among the whites.

RANDLE. Can you give me the parentage of William Randle (some of the family spelled it Randall), of Virginia, who settled in Madison, Georgia, and was the father of thirteen children, the eldest named James Graves, and the fifth child born in 1814. *Mrs. J. K. P. Gillaspie,* cor. Crawford St. and Leland Ave., Houston, Texas.

JORDAN. William Jordan was born Oct. 5, 1743, probably in Lunenburg County, married Sally Wood. His son, Archer Jordan, was born August 29, 1770, also in Virginia. He moved to Tennessee, after he married Elizabeth Walker, whose mother was

a Jeffries. His son was Edward Leland Jordan, who married Martha Huelet Fletcher. Their daughter was Mary Jordan, married Dr. Nuckolls, of Huntsville, Alabama. Wanted information about these Jordans. *Thomas Nuckolls Bilbro,* Murfreesboro, Tenn.

BOTT. Want the will of Thomas Bott, who was vestryman of Bristoll Parish, Va., 1720 to 1731.

Had wife Elizabeth; also want names of all of their children and who they married. I have names of some of their children, as follows: Thomas Bott, son of Thomas and Elizabeth Bott, born Dec. 14th, 1721; Anne Bott, daughter of Thomas and Elizabeth Bott, born Feb. 1st, 1723-4; Miles Bott, son of Thomas and Elizabeth Bott, born Feb. 12th, 1733; married Nov. 24th, 1757, in Amelia County, Va., Miss Sarah Neal. Their daughter, Martha Bott married in Amelia County, Va., Nov. 5th, 1787 *Mr. Edward Branch. Mrs. Archibald Bott Jones,* 11 Montank Ave., Mobile, Ala.

BOTT. Want names of parents and grandparents of Elizabeth F. Bott, who was born in Amelia County, Va., March 24th, 1798; married Aug. 10th, 1813, in Amelia County, Va., Edward Henry Jones. Her sisters and brothers were Lucy T. Bott, who married in Amelia County, Va., 1817, William H. Booth; Sarah Bott, who married George Dugger; Archibald Bott, died single; Thomas Bott, ————; James Bott, married, and family lived in Amelia County, Va. I want arms of Bott family and their ancestry. Also Colonial and Revolution records. *Mrs. Archibald Bott Jones,* 11 Montank Ave., Mobile, Ala.

BOOK REVIEWS.

VIRGINIA COLONIAL DECISIONS: Vols. I. and II. Edited with Historical Introduction, by R. T. Barton, Boston, Mass. The Boston Book Company. 1909.

These books present in printed form to the public the decided cases of the chief court of colonial Virginia from about 1729 to 1743, as they were written down by Sir John Randolph and by Edward Barradall, Esq. Except a few cases of a later time reported by Mr. Jefferson and a very few by Mr. William Hopkins, one of which is included in Jefferson son's list, these are all the reported cases of the colonial period of Virginia during one hundred and sixty-nine years.

Mr. Barton has done a real service in preparing this work. The cases illustrate not only principles of law, but phases of society which are interesting to the cultured lawyer everywhere. To the advocate who has no interest in anything but the latest decision, the cases included in the work may be of small value, but there is a literature of the law in which these reports take a high stand. The cultivated lawyer who sees in his practice something more than the making of money will try to know something of the rise, progress and development of his profession.

But these books are not interesting merely to lawyers. They have a great interest to the general reader, for they abound in portraitures illustrating the colonial period in many of its shades and aspects. They are useful to the genealogist especially, for some of the cases contain considerable family information.

By no means the least interesting part of this excellent work of Mr. Barton is his historical introduction. He does not pretend to any research or to uncover things not exposed before, but he serves up a narrative of Virginia from recognized sources, which is much above the ordinary.

One thing is encouraging, and that is that Mr. Barton does not always accept the estimates affixed to Virginia conditions by New England writers, which is too often done by some of our own writers, either from too great a facility to appear generous, or an unwillingness or lack of opportunity to undertake the severe work of careful, original study. While Mr. Barton quotes Mr. Lodge's opinion of the early lawyers of Virginia, he does not commit himself to his opinion. No one questions the ability of Mr. Lodge, but history is a profession and Mr. Lodge,

while an eminent statesman, has given but little of his life to the real study of history. I doubt whether he has ever examined one of the ancient Virginia Order Books, or he would have known that the lawyers who appear in these records were from the very earliest times the first men of the counties. The business of the courts was at first of a very simple character, and there was very little encouragement to the trained lawyers. The causes were, however, pleaded by the more prominent merchants and planters, acting for the parties in suits. Rural communities are ever jealous of special classes, and no conclusion can be drawn from the language of the Acts of Assembly during the seventeenth century but the prevalence of a prejudice, which has not yet entirely disappeared from our midst. Strictures on the profession are sometimes even yet heard in Virginia, more especially in the country districts. To show on what little foundation the legislative censures rested, in one or more of the Acts lawyers were actually forbidden to charge *any fee* whatever. But take York county in the seventeenth century, and a simple statement of the names of the leading lawyers is a sufficient refutal of the charge brought by Mr. Lodge "that the early lawyers were for the most part pettifoggers and sharpers, broken adventurers from London and indented servants." Among the lawyers of York county we find in 1646 William Hockaday, Karbry Kiggan, Francis Willis, Thomas Bushrod and Dr. Robert Ellison; about 1660 John Holdcroft, James Bray, Thomas Ballard, John Page, and Daniel Parke; about 1675 William Swinnerton, William Sherwood, and Gideon Macon—all these were trusted and prominent men. Willis, Bray, Page and Parke became members of the Virginia Council; and Hockaday, Bushrod, Ellison and Macon were at different times members of the House of Burgesses. (QUARTERLY, VIII., 228.) With the probable exception of John Holdcroft, William Swinnerton and William Sherwood, all were merchants and planters, well informed, but not regularly trained to the law. It is certainly a very absurd criticism to call them "pettifoggers or sharpers."

Lack of space will not permit a more extended view of Mr. Barton's excellent volumes. They deserve a favored place in both the law and general libraries of the country.

VIRGINIA HISTORICAL SOCIETY PAPERS: Vol. XXVII. Edited by R. A. Brock, Secretary of the Southern Historical Society, Richmond, Va. 1909. Published by the Society.

In this interesting volume Mr. Brock continues the good work of putting on record the story of the South's fight for independence in 1861-1865. There are forty-four articles, the most important of which is, doubtless, the leading article: "The Work of the Ordnance Bureau," by J. W. Mallet, Ex-Lieut.-Colonel of Artillery and Superintendent of the Confederate States Ordnance Laboratories. The remarkable success

and vigor displayed by the Confederates in surmounting the difficulties of an almost unarmed condition and developing efficient mills and factories for making arms and ammunition is one of the most interesting facts in the history of the war. It proved that Southern genius was capable of great things in fields the most unknown. In the fifth article, the tribute of W. Gordon McCabe to Major Andrew Reid Venable, is in the best vein of that admirable writer and speaker. Then Major Thomas L. Broun's "Recollections of the Battle of Cloyds Mountain" is full of interest and worthy of the gallant soldier and noble Virginian that he is.

THE BIRTH OF LIBERTY: A Story of Bacon's Rebellion. By John H. Lane. Richmond, Va.: The Hermitage Press. 1909.

In this work Mr. Lane has essayed his talents in a very difficult plane. One of the hardest things in the world is to write a historic novel. The environments and main events must always be critically correct. It, therefore, makes against Mr. Lane's maiden effort to find him underrating the Cavaliers and accepting the idea that the Virginians of the seventeenth century were illiterate. A cavalier like Col. Guy Molesworth who had received twenty-five wounds in battle fighting for the King might be "poor," but it was morally impossible that he could be worthless. General Lee was poor when the war for Southern Independence closed, but his career of usefulness did not cease. And so illiteracy goes by comparisons, and our people in the seventeenth century were quite as well informed as the same classes in Massachussetts or England. Why, therefore, repeat the old calumnies? We can seldom trust oral testimony, but the story of enlightenment told by the letters, deeds, and wills and marriage bonds cannot be questioned. There were many ways in which the Virginians had the best of the New Englanders. They were more in contact with the better opportunities of the Mother Country. The parishes were continually supplied from England with Oxford and Cambridge graduates as ministers, who taught school. New England, on the other hand, self centered, isolated in spirit and in religion, was woefully deficient in learning and in the refinements of colonial life. Beverley, our historian, is of higher authority than Berkeley, and he speaks of the numerous free schools which had existence in Virginia. But better than any other proof of superior information are the manuscripts of that time, which have come down to us. These, in the general, are much better written in Virginia than in Massachusetts. Mr. Jefferson, writing to Joseph C. Cabell in 1820, declared that the mass of information in Virginia before the American Revolution placed her among the foremost of her sister States.

INSTITUTIONAL HISTORY OF VIRGINIA IN THE SEVENTEENTH CENTURY. By Philip Alexander Bruce. Two volumes. G. P. Putnam's Sons, New York and London.

I congratulate Dr. Bruce upon the completion and publication of his splendid works upon Virginia in the seventeenth century. Having in his *Economic,* and *Social* histories of Virginia in the Seventeenth Century—the one published in 1896 and the other in 1907—described in detail two sides of colonial life in that age, it only remained to issue an *Institutional* history of the same period, in order to present a complete picture of all the conditions prevailing in Virginia previous to 1700. This Dr. Bruce has now done, with a great and admirable display of erudition and hard work, which entitles him to enthusiastic praise as a scholar and thinker. As there is no other person in Virginia so fit for the task, one cannot but wish that Dr. Bruce would devote his future labors to an authoritative history of Virginia, which would take in the three centuries of our political life. Yet studies on the eighteenth and nineteenth centuries like to those which he has completed for the seventeenth, would enable the historian to plant his work upon a foundation deep and strong. If we could be assured that Dr. Bruce would have successors who would carry out his methods with respect to the next two centuries, we might afford to wait awhile to get access to the material made available in such copious supply. Dr. Bruce's treatment of Virginia conditions is luminous and so generally correct that it seems hypercritical to point out any defects. Amid so many persons used in illustration, it is not at all strange that he should sometimes spell their names wrongly. Vol. I., p. 84, Alexander Dornphin should be Alexander Doniphan; p. 512, Robert Tyler should be Robert Taylor, &c. Probably the most serious mistake in this way is the reference made to "Rev. William Semple," who is said to have represented the Bishop of London previous to Dr. James Blair. This name should be Rev. Peter Temple, who was minister of York Parish in York county. The subject of Education is well handled by Dr. Bruce, but I think that he probably concedes too much to education in New England. Town life gave greater facilities, it is true, but two causes counteracted the favor of the law, and the political conditions in that community. One was the poverty of the soil, and the other was the isolation of the New Englanders, both in religion and thought, which cut them off from the culture of the Mother Country. Instead of having a constant supply as Virginia had of ministers from Oxford and Cambridge to teach the youth, their supply during the seventeenth century was home-made, the best coming from Harvard, which until the first quarter of the eighteenth century was not much more than a grammar school. The result was that the masses were woefully illiterate.

As an interesting proof that the custom of sending young men from Virginia to England for education began at a very early date in the sev-

enteenth century, the authority of the London Company in 1621 might have been cited by Dr. Bruce. At a meeting of the committee of the Company, it was alleged as one of the reasons why the East India Free School should be erected that "the Planters have been hitherto constrained to their great costs to send their children from thence hither to be taught."

Probably Dr. Bruce is inclined to give a little too aristocratic turn to society in Virginia, which the records of the seventeenth century do not bear him out in. While social differences were undoubtedly prevalent, the lack of any great English nobles in Virginia and the independent and scattered mode of existence made it impossible to keep up the differences of the Mother Country to any great extent. One strong evidence of a comparative equality is shown in the existence of universal suffrage, which practically prevailed in Virginia till 1736. For though in the latter part of the seventeenth century a freehold qualification was prescribed, there was no limit attached to the freehold, and Spotswood tells us, in 1713, that any one owning *half an acre* of land could vote and hold a seat in the Assembly. As land was very cheap, a half acre amounted to no limitation whatever.

AMERICAN HISTORY FOR USE IN SECONDARY SCHOOLS. By Roscoe Lewis Ashley. The MacMillan Company, London. 1909.

The tone and temper of this work are to be highly recommended, despite its faults. These faults arise from Mr. Ashley's too great dependence upon secondary authority and his prejudices as a Northern man and evidently a man of strong nationalistic views. Some errors suggestive of a hundred like them may be noted:

1. The responsibility of the spoils system is credited to Jackson, when it is well known that it began with John Adams, who filled every office with Federalists, and after his defeat in 1800, tried to perpetuate the Federal rule by the Midnight Judges and depriving Jefferson of the presidency.

2. On page 312 Harrison "made clear his preference for a national bank." I challenge Mr. Ashley to produce any evidence for this assertion.

3. On page 313 the account of John Tyler, while fairer than usual, is still unjust. Mr. Ashley cites Macmaster, but has Mr. Ashley ever read "The Letters and Times of the Tylers," by Lyon G. Tyler?

4. On the question of secession it is not to be expected that Mr. Ashley would tell the whole truth, but after stating on page 378 that the South and North were two distinct people, he should have gone further and said the South as such was entitled to its independence and that the war waged by the North was a cruel and unjust one.

In coercing the South, the Federal government abandoned the principle of its own establishment that "government was based on the consent of the governed."

5. In respect to Lincoln's dealings with the Confederate commissioners, the testimony of Judge Campbell and the facts in the case do not appear to agree with Mr. Ashley's statement that Lincoln "promised only that he would notify them of a relief expedition." Now why should Lincoln have given any promise unless he felt that he was under moral obligation of some sort? He must have contemplated a hostile contingency, and the notice, to have been a fair one, should have been given in the inception of the move. But as a matter of fact Governor Pickens did not receive the notice till the Federal fleet was off the coast of South Carolina, when the newspapers were already full of the matter. Judge Campbell states that, in course of the interviews, Seward consulted Lincoln; and neither Lincoln nor Seward to my knowledge ever denied the truth of his statements. On the contrary, Seward wrote to Charles Francis Adams, on April 10, 1861, that the President "willingly accepted the proposition as true" that the Federal government "could not reduce the seceding States by conquest."

6. On page 407 Mr. Ashley uses this language: "For two hours on the morning of March 8th, these two iron clad vessels fought each other at close range, until the Merrimac withdrew, not disabled, but baffled, never again to be used for offensive purposes." Objections: (a) As shown by the "Official Records of the Union and Confederate Navies" the battle between the Merrimac and Monitor lasted nearly *four* hours, not two; (b) The same records show that the battle occurred on March 9th, not March 8th; (c) In regard to the combat these records show that the officers of the Merrimac claimed that by reason of a shell, which exploded on the turret and blinded the captain, the Monitor withdrew from the fight, whereupon, the Merrimac unable to come nearer to the Minnesota than a mile, retired to Norfolk to repair the damages done to the ship by the Federal wooden fleet in the battle of the day previous. On the other hand, the Federal officers say that they continued to fight the Merrimac until she was driven from the field of battle. They admit, however, that their turret was struck and Captain Worden put out of commission, Lieutenant Greene taking command. Now between these two versions, surely the testimony of Captain Van Brunt, of the *Minnesota*, a Federal officer, should be decisive, if in favor of the Confederates. In his report he states distinctly that the Monitor, after receiving the shell on the turret, stood off for Fort Monroe, and he thought that she had received some serious injury. He then states that thinking his last hour had come he prepared to fight his stranded ship, the *Minnesota*, to the last, but was relieved when he saw the Merrimac sail for Norfolk. See Official Records, Volume VII., page 12. (d) Mr. Ashley says that

after the Merrimac withdrew "she was never again used for offensive purposes," but against this statement is the record that the Merrimac returned to the Roads twice afterwards, on April 11th, and May 8, 1862. She came into the Roads and challenged the Monitor to battle, but the Monitor kept under the guns at Fort Monroe, Commodore Goldsboro having, as he says, received orders not to risk his ship in a second encounter with the Merrimac, unless he could take her at a disadvantage in wide water, and use the Vanderbilt and other merchant vessels to run her down. See Official Records, Vol. VII., page 331. The following is an extract from a letter of the crew of the Monitor, which shows how they felt about it. It is addressed to Captain Worden, who had been injured in the fight of March 9th: "But since we Lost you we have Lost our all that was Dear to us Still we are Waiting very Patiently to engage our Antagonist if we could only get a chance to do so; that *last time* she came out we all thought we would have the Pleasure of Sinking her But we all got Disapointed for we did not fire one Shot and the Norfolk papers Says we are Coward in the *Monitor* and all we want is a chance to Show them where it lies, with you for our Captain we can teach them who is cowards." (Official Records, Vol. VII., page 40.)

(e) The reference in section 353 to the "destruction" of the Merrimac in connection with what precedes would make most children think that the Monitor destroyed the Merrimac; whereas it is nothing but sheer justice to say that the Merrimac was blown up by her own crew two months after the battle of March 9th; during all of which time the ship was used for offensive purposes, in preventing the Monitor from going up James River, and in protecting the right wing of General Johnston's army.

While the book is such a one as should never be used in the secondary schools of the South, there are many good things about it for which Mr. Ashley should receive praise. He does not hesitate to say that Lincoln in every possible way trampled on the Constitution by the execution of his so-called "war powers"; and his allusions to Mr. Davis, while not enthusiastic, are gentlemanly and considerate. His great hero is Mr. Lincoln, though in what particulars the Martyred President is entitled to so much praise he does not make clear. Lincoln stated in the beginning of his administration that he had "no lawful right to interfere with slavery," and yet in less than two years' time he ate his words and tried to abolish it. His selection of so many incompetent generals and officers is especially in contrast to Mr. Davis' wise discretion. Can Mr. Ashley, knowing the disposition of men to heroize, question the statement that two facts have contributed largely to Lincoln glorification: (1) The success of the war which he inaugurated; (2) his martyrdom in the hour of victory? Has he ever thought out how Lincoln would stand in Northern history (1) If the war had failed; (2) If he had lived to survive it? Both of these things might reasonably have been.

OF SCEPTRED RACE. By Annah Robinson Watson, author of Some Notable Families of America, etc. Early Printing and Publishing Company, Memphis, Tennessee, 1910. *Advanced Sheets.*

This volume will doubtless appeal not only to members of the various families named in its pages, but to all who care for an artistic presentment of the study of ancestry. It is printed on the best paper, and is richly illustrated. Among the families traced by Mrs. Watson back to royal or noble ancestry are those of Washington, Lee, Reade, Lewis, Throckmorton, Meriwether, Prescott, Taylor, Rose, Roosevelt, Walker, O'Neill, Gill, Mansfield, Talcott, Saltpnstall, Cordner, Warner, Fauntleroy, West, Watson, Farnsworth, White, Robinson, Mosher, Holliday, Bond, Story, Johnston, Hogan, Winchester, Wilbour, Howard, Perkins.

Mrs. Watson's treatment of the pedigrees has been thorough and conscientious, and she has studied to present a book of authority, difficult as that is when the authorities themselves like Dugdale, Burke, etc., are not without error. I predict that the work will take a high place in the libraries of the country, and Mrs. Watson is to be congratulated on the good work which she has done.

PROSPECTUS.

"YE KINGDOME OF ACCOMACKE," the Early History of the Eastern Shore of Virginia. By Jennings C. Wise, Member of Virginia Historical Society.

A full history of the Institutions and the economic and social conditions of the United States in seventeenth century, with valuable appendix containing copies of documents and a full index for the student. Will comprise a volume 9 x 6, the best paper and handsome binding, 400 pages with maps. Price, $2.00 net. Advance subscriptions received by Bell Book & Stationery Company, Richmond, Virginia. The first edition will be limited to 1,000 copies and it will not appear until 250 volumes are subscribed.

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CONTENTS.

1. The Use and Abuse of Forests by the Virginia Indians,.... 73-104

2. Langborn, Taliaferro, Throckmorton, Dixon.....104-108

3. Records of the Adams Family of Fauquier County,.....108-109

4. The Clack Family,.....109-111

5. The Thornton Family, ...111-113

6. Virginia Marriages, Births and Deaths from April to October, 1712, ...113-116

7. The Carter Genealogy, ...116-137

8. The Chapman and Reynolds Family Bible Records,.....137-142

9. Historical and Genealogical Notes: Political Economy; The Elective Principle; United States Navy; Scotch Tutors; John Carter, Secretary of State; Commissary James Blair; Queries, ...142-145

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THE USE AND ABUSE OF FORESTS BY THE VIRGINIA INDIANS.

By Hu Maxwell, United States Forest Service.

The opinion that Virginia at the time it first became known to white men was covered with vigorous and unbroken forest is erroneous. The proof of this is found in the writings of explorers and early historians. Woods covered much of the region, and fine forests abounded in some parts, but the Indian had made much more serious inroads upon the primeval growth of timber than the casual reader has generally supposed. This becomes more apparent when fragmentary accounts by different writers are brought together. The clearings made by Indians for agricultural purposes were comparatively large, but they were small in comparison with openings made by fires set accidentally, wantonly, or to the end that more wild game might abound, with improved opportunities for hunting it. Though white men are rated high as destroyers of forest, they are not in the same class with Indians. Virginia at the present time has six or seven acres of cleared land per capita. At the time of the first explorations the Indians had succeeded in deforesting thirty or forty acres for every individual in their tribes, and were proceeding with the work of destruction from the sea to the mountains and beyond. It is not possible to give exact figures, but thirty to forty acres of treeless land per capita is conservative. The population, however, was small at that time.

This estimate is based on records left by eye witnesses, or by those who had personal knowledge of the matter recorded, or at least had excellent facilities for ascertaining the facts. The

Indian's attitude toward the Virginia forests will be considered from three points of view: (a) His use of wood in his arts of war and peace; (b) the clearing of fields for agriculture; and (c) his habit of burning the woods. His influence upon the growth and spread of certain species, and the suppression of others, will be considered also.

THE INDIAN'S USE OF WOOD.

The Indian population of that portion of Virginia between the Alleghany mountains and the sea at the time European settlement began near the coast, has been estimated at 17,000.[1] That allows approximately two and a half square miles, or 1,600 acres, for every man, woman, and child. It is less than one per cent. of the State's present population, and appears ridiculously small; yet few regions of the United States, within historic times, had Indian populations as dense as Virginia's. It was a center of population compared with many other areas of like extent. The average for the whole United States is believed to have been about one individual to 8,000 acres, or one-fifth the density of the present State of Nevada's population.

Scattered and thin as Virginia's Indian population was, the region could not have supported that many people if they had depended upon the chase alone. They drew supplies from several sources, and in practically every one of them, with the exception of fishing, it was necessary to destroy more or less of the forest to augment food supply. The quantity of wood used was small compared with that destroyed or left to natural decay, though the natives made constant use of the abundance about them, and it was of the utmost importance in their crude economy. They wasted a thousand trees where they put one to a good purpose. Poles, withes, and bark were utilized in making houses and wigwams. Their tools and weapons were largely of wood before they obtained metal from Europeans. Their hatchets of stone, bone, and shell had wooden handles, and the

[1] "The Powhatan Confederacy Past and Present," by James Mooney, published in the American Anthropologist, 1907, page 129, and following.

few recorded instances wherein the kind of wood was named, indicate that hickory was preferred, and to this day it remains the best handle wood in Virginia. Their wooden swords, edged with rows of flint points, or broken shells, were formidable weapons in the hands of savages. The Indians frequently carried spears with stone, bone, and later with iron heads. Locust was occasionally, perhaps generally, taken for spear shafts. The bow was the Indian's most important arm in chase and war. Locust and witch hazel were said to have been generally used for bow wood; but three bows, procured very early on the coast of Virginia and still preserved in the Ashmolean Museum, Oxford, England, are said to be of ash. The Virginia Indian's bow was about six feet long, which was twice the length of bows used later by many western tribes. The three bows at Oxford are highly polished and nearly as black as ebony.

The Virginia Indian was no less a fisherman than a hunter. The many broad and beautiful rivers, fine creeks, and deep estuaries tempted him to that occupation and rewarded him well. He pierced large fish with wooden arrows and transfixed them with spears of wood, but his chief dependence was placed upon weirs and traps which he constructed with wood. Faithful drawings by contemporaneous artists have been preserved, and exhibit the native's fishing apparatus in Virginia.[2] The traveler by steamer to-day along the Potomac, Rappahannock, York, James, and other rivers of Virginia sees long lines of stakes protruding from the water. They hold the modern fisherman's nets. Three hundred years ago similar apparatus was to be seen on the same rivers, but the red man was then the fisherman. The poles and stakes were severed and sharpened by fire, and were thrust into the soft submerged bars by the wild men who then lived along the shores. Land food failed at times, and the Indian could take to the water with the assurance that his weirs would not leave him empty-handed. Famine was impossible for those who lived sufficiently near the water to share the harvest

[2] "History of Virginia," Edition of 1722, by Robert Beverley. Although Beverley was not the earliest writer on the customs and manners of the Virginia Indians, he collected much valuable data.

gathered by the extensive traps, blind alleys, and pallisaded culsdesac; but if the supply of fish was cut off, the wolf of starvation frequently haunted the red man's wigwam.

The Virginia colonists were quick to discover the vulnerable points in the Indian's line of defense, and made use of that information from the very first. In the declaration of war against the tribes which had taken part in the massacre of 1622, one of the orders to the troops setting out upon the campaign against the Indians was to "pluck up their weirs." [3]

Perhaps nowhere on the American continent were canoes more extensively used than by the Virginia Indians of the tidewater region. The canoe maker was the most ambitious artisan. These vessels were upon every stream, and their journeys were swift and silent. They were hollowed from a single trunk. Mention was occasionally made of bark canoes, but it remains uncertain whether they were made in Virginia or came from the north by river routes and land carriage. Some of the references indicate that birch bark canoes might have come from the north.[4] If the bark canoes were made in Virginia, they were most like slippery elm bark. Canoes were sometimes made of it farther north.[5]

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[3] Neill's "Virginia Company of London."

[4] One of the quaint wood cuts in Beverley's History shows a "birchen canoe, or a canoe of bark." The lettering was cut by the engraver into the face of the picture, and there can be no doubt that the artist meant to make a drawing of a birch bark canoe, but he did not do it. It was a dugout, or, if the original was of bark, it was very different from the shapely vessels made of paper birch, which were familiar objects farther north, though doubtless rare, or totally unknown in Virginia. The poet, Thomas Moore, fell into an error as to region when he placed a birch bark canoe on Lake Drummond in the Dismal Swamp in Virginia. In a poem written in 1804, but alluding to an event long before, he wrote:

"He hollowed a boat of birchen bark
Which carried him off from the shore."

[5] In "Travels in North America," in 1748-9, Peter Kalm described the method employed by Mohawk Indians in making a slippery elm bark canoe, sewed with hickory bark upon a frame of hickory sticks.

Yellow poplar was the common canoe wood among the Virginia Indians, and the vessel was made in one piece from a solid log. Lengths of forty or fifty feet have been recorded, but the usual size did not exceed half that. The largest carried thirty or forty persons. Probably the earliest mention by Europeans of the poplar dugout in Virginia was by Hariot, in the year 1600. He called the tree "rackiock," which is presumed to have been its Indian name.[6] One of the wood cuts in Beverley's Virginia history shows native canoe makers at work. When it is borne in mind that the drawing from which that cut was engraved was probably made by an artist who had actually witnessed the Indians at work, and who saw just what the picture exhibits, the historical value of the engraving is apparent. The native canoe makers are shown with a large, straight trunk mounted on a scaffold, and they are at work with fire and rubbing stones to hollow it. The shell is thin, the superfluous wood has been removed, and the canoe's lines are graceful. The background of the same picture exhibits the Indian method of felling a tree, by encircling the base with a ring of fire and confining it to a narrow notch until the tree is thrown. A log in the process of being severed by fire is likewise shown. It was a fortunate circumstance, from an historical standpoint, that some of the early voyagers to Virginia and residents in the colony, had the services of competent artists whose pictures have been preserved, affording valuable insight into the customs and handiwork of the Indians.[7]

Without canoes, the Indians in tidewater Virginia would have been greatly hindered in their movements. Many of the streams were too broad and deep to ford, but the light craft, propelled by from two to twenty paddles, glided swiftly and silently through many a maze of creeks, channels, estuaries, and lagoons. In the early years of the colony, when it became necessary to

[6] "Traffique and Discoveries," by M. Theo. Hariot, in Hakluyt, Vol. 3.

[7] Some of the pictures were drawn in black and white, others were painted in water colors. One of the earliest and best of the artists whose Virginia pictures have been preserved, was John White, some of whose drawings were made twenty-two years before the founding of Jamestown.

fight or threaten the savages, the white man's first thought was to strike at the canoes. An order issued in the war against the blind chief, Opechancanough, though its language was somewhat rhetorical and bombastic, explicitly pointed out the manner in which the rebellious savages ought to be attacked: "Pursue and follow them, surprising them in their habitations, interrupting them in their hunting, burning their towns, demolishing their temples, destroying their canoes."

Eight years before that time, when the people of Jamestown had unsuccessfully attempted to force Powhatan into a treaty of peace by kidnapping his daughter Pocahontas, they resorted to the threat that, unless he came to terms speedily, they would burn his canoes.[8] However, the marriage soon after of the captive Indian girl to one of her captors, brought the desired peace, and it was not deemed necessary to burn her father's canoes.

The Virginia forests contributed directly a considerable part of the Indian's food, bark, roots, berries, fruits, and nuts. It was in connection with the food supply that the Indians exerted their greatest influence upon the spread of tree species. That matter will be accorded its proper consideration on another page. In the savage's struggle for food, few things that were nutritious and not poisonous escaped him. He knew the food value of every tree, shrub, and weed. Several of these still bear the names which the Virginia colonists adopted from the Indians, noted instances being persimmon, chinquapin, and hickory, which trees owed their chief value to the food which they supplied the Indian.[9] Several other things common in early colonial life in

[8] "A True Discourse of the Present State of Virginia," 1614, by Ralph Hamor.

[9] The English word "hickory" has passed through a remarkable series of changes and variations. It is the last half of an Indian name applied to the milk-like syrup made from pulverized hickory nuts. The Indians used it as a dressing for their coarse salads, or ate it with their hominy. The word appears in literature in no fewer than sixteen forms, as follows: Hickory, hickery, hiccory, hickorie, hiccora, hiquery, pekickery, peckickery, pieckhickery, pokickery, pokikerie, pockickery, pokahickory, pocohiquara, powcohicoria, pawcohiccora, and powcohiscora. The last spelling in this list is that given the word by John Smith,

the Old Dominion still retain names given them by the Virginia Indians, among them being opossum, raccoon, terrapin, puccoon, pone, hominy, tuckahoe, tomahawk, and poke (*Verratrum viride*).[10]

LAND CLEARED FOR AGRICULTURE.

The Virginia Indians paid much more attention to agriculture than has been popularly supposed. Scarce though their population was, they could not have subsisted without tilling the soil. Necessity compelled them to clear land, and thus they involuntarily, and without intention on their part, took steps toward civilization. The aggregate extent of their clearings cannot be determined, because their fields and truck patches were widely scattered, and no one person saw or left record of any considerable part of them. The extent of such clearings becomes more impressive when accounts of various travelers are brought together and presented in one view. Wherever explorers left records, no matter in what part of Virginia, mention was made of cornfields. If those which received specific mention were listed together, the total would run into many thousands of acres, and yet it is reasonably certain that early writers actually saw only a small portion of the clearings, while the larger part was never discovered or mentioned. The whole acreage under cultivation must, therefore, have been very much in excess of what the records show.

The clearing of ground for gardens and fields cost the Indians much labor which was performed by women. Small undergrowth was pulled out by the roots, or burned or broken off, and the larger trees were killed by bruising the bark at the base of the trunks and removing it. Stone mauls were used for that purpose. Occasionally rings of fire burned the bark off. The trees which were subjected to such injury speedily withered, but

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and it was probably the first time it was ever written in English, and probably it was as near an approach to the Indian pronunciation as could be made with English letters.

[10] "Virginia's Indian Contributions to English," by William R. Gerard, in the American Anthropologist, 1907, pp. 87 and following.

the fall of the trunks might be delayed ten years. Meanwhile the Indians cultivated the ground, clearing away each year the fallen limbs and trunks. The chief crops were corn, beans, pumpkins, and melons.

Writing about 1611, Dale mentioned the abundance of corn grown by Indians between Point Comfort and the site of Richmond. The natives of Kecoughtan had 3,000 acres of corn [11] and during Captain Smith's expeditions on the Nansemond and on the Chickahominy rivers he saw extensive corn fields. The queen of the Appomattox Indians had one field of one hundred acres near the present site of Petersburg, and the blind old chief, Opechancanough, had one of equal size.[12] The fields belonging to the chiefs were planted and tilled by the gratuitous labor of the women of the tribes.

Near the forks of the Nansemond, in 1609, the Indians who defeated Captain Martin improved the opportunity by carrying from their cribs 1,000 baskets of corn, which they concealed in the woods. Captain Smith declared that a ship load of the grain could have been procured by him on the Chickahominy. Corn generously supplied by the natives from their cribs saved the people of Jamestown from starvation on one occasion. Mention, at different times, of cargoes of a hundred or a thousand bushels were frequent. In 1614 the Chickahominy Indians bound themselves by treaty to supply the colonists with 1,000 bushels of corn yearly, in exchange for a few iron hatchets.

John Smith, speaking generally of conditions in Virginia as he found them, said that the autumn brought the Indians "plenty of fruit from their fields. * * * Their houses are in the midst of their fields and gardens, which are small plots of ground, some 20, some 40, some 100, some 200 acres." [13] William Strachey, who wrote about 1620, said of Indian settlements near tidewater: "Much ground is there cleared and opened,

[11] "The Historie of Travaile in Virginia Brittannia," by William Strachey, Vol. 5, Hakluyt Society Publications, London Edition of 1849, p. 60.

[12] "Relatyon of the Discovery of our River," pp. 43 and 51.

[13] Smith's Works, edited by Edward Arber, pp. 61 and 67.

enough with little labor already prepared to receive corn or make vineyards of two or three thousand acres." Hugh Jones gives the Indian credit for selecting good soil for their fields. "Wherever," says he, "we meet an Indian old field or place where they have lived, we are sure of the best ground." [14]

Following the massacre of 1622, the Indians who had implicated themselves were driven from their possessions, and the policy of turning loss to profit was at once discussed by the Virginians who proposed to seize the vacant fields. It was declared that the open land would be enough to meet the needs of the colonists for years to come without clearing more.[15]

In 1623 an expedition to the Potomac River inflicted punishment on the natives in that quarter by "burning their houses with a prodigious quantity of corn which they had conveyed into the woods, and the English were not able to bring it to their boats." [16] This was evidently in pursuance of an order issued the preceding year to "starve the Indians by burning and spoiling their corn fields." [17]

Mention in foregoing pages of cleared land refers to tidewater Virginia only, the region between the sea and the falls of the river. The country back of that, next to the mountains, was unknown till the end of the half century following the founding of Jamestown. Meager information concerning some of it had been obtained from Indians, and it is not improbable that traders had penetrated considerable distances; [18] but the first recorded

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[14] The Present State of Virginia," by Hugh Jones.

[15] "The objection that the country is overgrown with woods, and consequently not in many years to be penetrable for the plow, carries a great feebleness with it, for there is an immense quantity of Indian fields cleared ready to our hand by the natives, which, till we are grown overpopulous, may be every way abundantly sufficient." "Virginia richly valued," in Force's Collection, Vol. 3, p. 13.

[16] "The History of the Discovery and Settlement of Virginia," by William Stith.

[17] Neill's "Virginia Company of London," p. 331.

[18] Traders were on the Dan river at one of the Sauro Indian towns at least as early as May 24, 1673, according to a statement in "A Journey to the Land of Eden," published by William Byrd, in his "History of the Dividing Line Between Virginia and North Carolina," etc., Vol. 2, p. 23.

exploration to the base of the mountains occurred sixty-two years after Jamestown Island was settled. John Lederer, a German who wrote his diary in Latin, traversed different parts of the region in 1669 and 1670. He had not proceeded far before he noted the presence of Indian fields, some of which had been abandoned, perhaps because of the incursions of Iroquois for New York, who were then carrying on a war of extermination against many southern tribes on both sides of the Alleghany mountains. Lederer's notes show that agriculture was practiced nearly or quite as far as the base of the mountains.

"The country here," says he, speaking of the region near the present Virginia-North Carolina line, "though high, is level, and for the most part a rich soil, as I judge by the growth of the trees; yet, where it is inhabited by Indians, it lies open in spacious plains." [19]

Speaking of an island, probably in a tributary of the Roanoke, he said: "The island, though small, maintains many inhabitants. * * * Upon the north shore they yearly reap great crops of corn, of which they always have a twelve months' provision aforehand, against an invasion from their powerful neighbors."

The next year, Lederer was again in western Virginia, and on June 16, 1670, when he was probably in the present county of Madison, he wrote in his diary: "The country here, by the industry of these Indians, is very open and clear of woods. * * * They plant abundance of grain, reap three crops in a summer, and out of their granary supply all the adjacent parts."

Fifty-four years after Lederer's journey to the Roanoke River, William Byrd passed that way and spoke of the old Indian fields which, though long abandoned, had not yet relapsed into forest. "There is scarce," said he, "a shrub in view to intercept your prospect, but grass as high as a man on horseback."

One or two early glimpses of Virginia farther west than Lederer went may be had, and the ever-present Indian fields come in for mention. In 1671 the New River, a tributary of the Ka-

[19] "Discoveries of John Lederer," p. 24, Edition of 1891, Charleston, S. C.

nawha, was reached, at a point near the present Virginia-West Virginia line, but the exact spot is unknown. The exploration was carried on by what has usually been called the Thomas Batts expedition, though practically all that is known of it is contained in a journal kept by Robert Fallows, who accompanied Thomas Batts and Thomas Wood.[20] On September 13, 1671, the explorers camped in a valley near New River, where were many "brave meadows and old fields." Rev. Clayton added an explanatory note saying: "'Old fields' is a common expression for land that has been cultivated by the Indians and left fallow, which is generally overrun with what they call 'broom grass.'" Two days later Fallows wrote in his diary: "We understand the Mohecan Indians did here foremdly live. It cannot be long since, for we found corn stalks in the ground."

The next day the diary further refers to cleared land: "We went ourselves down to the river side, but not without great difficulty, it being a piece of very rich ground whereon the Mohecans had farmerly lived, and grown up with weeds, and small prickly locusts and thistles to a very great height that it was almost impossible to pass. It cost us hard labor to get through."

That was the farthest point west reached by the explorers. They proposed to go on, but their Indian guides balked and refused to proceed through fear of the "Salt Indians."[21] But for that unfortunate circumstance, eye witnesses might have left a record of conditions at that time beyond the mountains in Vir-

[20] Rev. John Clayton sent the Fallows diary to the London Royal Society, where it was read and filed Aug. 1, 1688, seventeen years after the exploration was made. A number of editions have appeared, the most careful and satisfactory being that by David I. Bushnell, in the American Anthropologist, 1907.

[21] Robert Beverley, who wrote about thirty-five years later, comments upon this passage of the Fallows journals thus: "Near these cabins (on New River) were great marshes where the Indians which Captain Batt had with him made a halt and would positively proceed no farther. They said that not far off from that place lived a nation of Indians that made salt and sold it to their neighbors; that it was a great and powerful people which never suffered any stranger to return that had once discovered their towns."

ginia, the region which is now West Virginia. It was at that very time passing through a crisis. Its inhabitants were being swept away, and the region between the Alleghany mountains and the Ohio River was henceforth to remain an unpeopled wilderness until its settlement by white people—a century later. It would be instructive to know what that region's condition was at that time, but the fear of the "Salt Indians" caused the expedition to turn back, and we must be satisfied with a few glimpses into the forbidden, transmontane province of Virginia. Indians who were sufficiently civilized to manufacture salt, and make of it a commercial commodity, might be presumed to be skilled in agriculture also, and the few extant scraps of information concerning them show that they were.[22] Proof of western clearings is not so abundant as of eastern, but that is due to a peculiar historical circumstance rather than to the probable smallness or scarcity of the clearings west of the mountains. Many of the openings had time to lapse again into forest before any white man saw them, for they remained untenanted a hundred years.

The Iroquois of western New York who "warred upon the whole world," depopulated the region, now forming a large part of West Virginia, about 1672, as John Clayton states in the quotation given from his writing. They obtained firearms from the English and Dutch on the Hudson[23] and became irresistible to tribes that still fought with bows. They did not occupy western Virginia after they had made it a solitude, but about ninety-five years later they ceded or sold a large part of it to land specu-

[22] John Mitchell, F. R. S., who resided in Virginia and wrote about 1760, furnished additional information concerning the Salt makers who had terrorized the explorers' guides nearly ninety years before. "The Indians they meant," said he, "were the ancient Chawanoes, (Shawnees) who lived to the westward and northward of the place where the discoverers were at, and were at that time, 1671, engaged in a hot and bloody war with the Iroquois in which they were so closely pressed at that time that they were entirely extirpated, or incorporated with the Iroquois the year following."

[23] "History of the Five Indian Nations of Canada," by Cadwallader Colden, London, 1747, page 36.

lators. It was still without human inhabitants.[24] The speculators who came into possession of it proposed to settle it and call it "Indiana."

The salt works operated by the Shawnees and referred to in the Fallows journal were almost certainly situated on the Kanawha, a short distance above Charleston, W. Va., though some have supposed the place referred to was in the present county of Monroe, W. Va. The Kanawha salt works have been extensively operated for a century, and are still among the largest in the United States.[25]

Eighty years after the Iroquois conquest, Christopher Gist found old fields between the mountains and the Ohio which had not yet been totally obliterated by encroaching forests. On March 4, 1752, he found a "great many cleared fields covered with white clover," and elsewhere he spoke of "some meadows," and "an old Indian road." In Tygart Valley, near the western base of the Alleghany mountains, the first settlers, in 1753, discovered large tracts over which forests had but lately closed, and smaller areas still in sod; while on Cheat River, forty miles distant, James Parsons, in 1769, found trees, apparently a century old, which had taken possession of land that had formerly been cleared, as he judged from the uniform size of the timber, and the fact that trees had grown up through artificial cobblestone floors, perhaps used as drying places for Indian corn, nuts, fruit, and fish.

The land on the Kanawha River, where the Indians made salt, and where it is assumed they lived in considerable numbers, subsequently became the property of General Washington. On August 20, 1773, he inserted an advertisement in the *Maryland*

[24] In 1742, John Peter Salley and four or five others crossed the entire state of West Virginia without seeing a human being who made the region his home. They descended the New River from near the point where Batts saw it, and passed down the Kanawha to the Ohio, traveling in a boat made of buffalo skins. See Christopher Gist's Journals," and accompanying papers, published by William M. Dunnington, Pittsburg, pages 253 and 254.

[25] West Virginia Geological Survey, Vol. 4.

Journal and Baltimore Advertiser, offering to lease 20,000 acres to settlers.[26] A hundred years had elapsed since the Indians had abandoned their homes there, and yet large tracts of comparatively open land remained, over which the forests had not yet spread, which may be inferred from General Washington's description. "As these lands," said he, "are among the first which have been surveyed in the part of the country they lie in, it is almost needless to promise that none can exceed them in luxuriance of soil, or convenience of situation, all of them lying on the banks either of the Ohio or Kanawha, and abounding with fine fish and wild fowl of various kinds, as also in most excellent meadows, many of which, by the bountiful hand of nature, are, in their present state, almost fit for the scythe."

Any openings in the forest in that region were artificial, as the land was naturally covered completely by woods. The meadows of which Washington spoke could have been none other than remnants of extensive cornfields abandoned by the Indians a hundred years before. It is thus seen that clearings made by the Virginia Indians were found in large numbers in all regions that were fairly well explored, but in smaller numbers where explorations were fewer; but no explorer in any extensive region failed to report openings in the forest, made, or supposed to have been made, by natives for purposes of agriculture.

INDIAN FOREST FIRES.

The Indian used a little wood, destroyed vastly more to make room for his fields, but his real work of forest destruction was done with fire. He was wasteful and destructive, as savages usually are, and the word economy had no place in his vocabulary. When he had abundance, he squandered like a pirate, and when want pinched, he stood it like a stoic.

The Indian is by nature an incendiary, and forest burning was the Virginia Indian's besetting sin. The few trees and poles which he took for use, and the thousands destroyed to make his cornfields, were a small drain on the forests in comparison

[26] Transallegheny Historical Magazine, October, 1902, p. 64.

with the millions which his woods fires consumed. It is not known how long he had been burning the valleys and mountains before the whie men came to Virginia, but the custom was general at the time of the first settlement, and it was, apparently, of long standing, though evidently growing worse. There is reason to believe, though there is no positive evidence of it, that the lesson of destruction was being learned from western Indians who, by the agency of fire, were changing forests into treeless prairies. If any considerable regions of Virginia, except swamps too damp to burn, had escaped repeated visitations by fire, the early explorers failed to make note of them. Complete destruction of forests by fire had already occurred over tracts aggregating hundreds of square miles, and undergrowth had been injured or destroyed almost everywhere in the regions early explored. In many localities the mature trees alone remained, and they were frequently so thinned and depleted that the woods resembled parks rather than forests, as is abundantly set forth in contemporaneous writings. Over very large tracts, at the period of discovery, the forests had apparently reached the last stage before their fall. No small wood was coming on to take the place of the old trees, and with the death of the mature timber many regions would have been treeless. A writer on Virginia's economic history sums up the evidence contained in the early records by saying: "Freedom from undergrowth was one of the most notable features of the original woods of Virginia." [27]

Before quoting from explorers and early historians to show the extent of Indian burnings, and their injury to the forests, it is necessary, to a proper appreciation of the situation, to consider the motives which prompted the savages to become incendiaries and to burn the very woods which sheltered them. Doubtless many fires were accidental, or resulted from carelessness, but generally the Indians burned the woods to increase food supply, directly or indirectly. So far as they reasoned at all, they doubtless thought that the end justified the means. The food supply was directly increased by fires which facilitated hunting

[27] "Economic History of Virginia," by Philip Alexander Bruce, Vol. I, p. 85.

operations; indirectly, by opening the way for the growth of grass, nuts, fruits, and berries, thereby causing game to congregate in certain localities. The fruits of many vines and trees were eaten by the Indians. Observation doubtless taught those savages, as it has taught more civilized man, that food-bearing trees and plants multiply more rapidly, and yield more abundantly, on the margins of burned tracts than in deep forests. The Indian was cunning enough to put his knowledge to practical account, and sufficiently farsighted to set fires one year that the burned tracts might yield more sustenance the next year and in future years. The fall of some score millions of feet of prime timber in a forest conflagration meant no loss to the Indian, if briars and grass followed, for they brought together beasts and birds which furnished the Indian with more food than he could have procured in the forests that fell.[28]

The extent of the Indian's burnings in Virginia, and the condition in which early settlers found the forests outside the native's fields and gardens, were described by early writers. Captain John Smith, who saw nearly all parts of the region that could be reached by boat, and also much of the interior, thus describes conditions, on page 67 of his works previously quoted:

"Near their habitations is but little small wood or old trees on the ground, by reason of their burning of them for fire, so that a man may gallop a horse among these woods any way except

[28] "In a region abundantly covered with trees, human life could not long be sustained for want of animal and vegetable food. The depths of the forest seldom furnish either bulb or fruit suited to the nourishment of man; and the fowls and beasts on which he feeds are seldom seen except upon the margins of the woods, for here only grow the shrubs and grasses, and here only are found the seeds and insects, which form the sustenance of the non-carnivorous birds and quadrupeds. . . . The wild fruit and nut trees, the Canadian plum, the cherry, the many species of walnut, the butternut, the hazel, yield very little, frequently nothing, so long as they grow in the woods, and it is only when the trees around them are cut down, or when they grow in pastures, that they become productive. The berries, too—the strawberry, the blackberry, the raspberry, the whortleberry—scarcely bear fruit at all, except in cleared ground." "The earth as Modified by Human Action," by George P. Marsh, N. Y., 1885, p. 334.

when the creeks or rivers shall hinder. * * * At their huntings in the deserts there are commonly two hundred or three hundred together. Having found the deer they environ them with many fires, and betwixt the fires they place themselves."

Robert Beverley, on page 136 of his *History of Virginia,* goes a little more fully into the fire hunt, which was the chief means by which Indians destroyed forests. He says:

"A company of the Indians would go together back in the woods any time in the winter when the leaves were fallen and so dry that they would burn, and fire the woods in a circle of five or six miles compass. * * * They make all the slaughter chiefly for the sake of the skins, leaving most of the carcasses to perish in the wood."

It is evident that a fire started in that manner would continue to spread until rain extinguished it, and in case of long drought, it would overrun extensive regions.[29]

William Bullock was an eye witness of early forest conditions in Virginia. In a tract printed in London in 1649 he gave the following description, evidently with some exaggeration, concerning the distance to which a man was oridnarily visible in the woods:

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[29] A graphic picture of havoc wrought by Indian fires is found in Force's Collection, Vol. 2, p. 36, written in 1632, though the particular locality then spoken of was outside of Virginia. As the methods of the Indians were identical, the following extract is given: "The burning of the grass destroys the underwood and so scorcheth the elder trees that it shrinks them and hinders their growth very much, so that he who would look to find large trees and good timber must not depend upon the help of a wooden prospect to find them on the upland ground, but must seek for them (as I and others have done) in the low grounds where the grounds are wet when the country is fired. . . . And if he would endeavor to find out any goodly cedars, he must not seek for them on higher grounds, but make his inquest for them in the valleys, for the savages by this custom of theirs have spoiled all the rest. When the fire is once kindled, it dilates and spreads itself, as well against as with the wind, burning continuously night and day until a shower of rain falls to quench it. . . . And the custom of firing the country is the means to make it possible, and by that means the trees grow here and there, as in our parks, and make the country very beautiful and commodious."

"The body of the country from the rivers is generally woody, but not like ours in England, for they are so clear from underwood that one may be seen above a mile and a half in the woods, and the trees stand at that distance that you may drive carts or coaches between the thickest of them, being clear from boughs a great height. Strawberries and grapes grow there in abundance." [30]

Andrew White, whose expedition to the Potomac River in 1633 has been referred to, thus speaks of the forest conditions in that region:

"On each bank of solid earth rise beautiful groves of trees, not choked up with an undergrowth of brambles and bushes, but as if laid out by hand, in a manner so open that you might drive a four-horse chariot in the midst of the trees." [31]

A description by another writer follows:

"No shrub or underwood chokes your passage, and in its season your foot can hardly direct itself where it will not be dyed in the blood of large and delicious strawberries." [32]

The wild strawberry is a small but a highly important witness to the open and ragged condition of the forests of lower Virginia. It does not grow in woods sufficiently dense to shut out much of the sunlight; and its great abundance, testified to by early writers, is proof that the tree canopy was very thin or wholly wanting over an extensive region. The abundance of these berries impressed Ralph Hamor in 1614; while William Strachey, who wrote six years later, speaking of the open and park-like condition of the woods, declared that "at no point was it impossible for horse and foot to pass," and that horses could be ridden at full speed among the trees without risk of collision with the trunks.

The foregoing references were by writers who laid no claim to a knowledge of conditions in the back country. Their observations had been confined chiefly or entirely to the region be-

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[30] "Virginia Impartially Examined," p. 3.

[31] "Narrative of a Voyage to Maryland," p. 18.

[32] "Virginia Richly Valued," Force's Collection, Vol. 3, p. 11.

tween the falls of the rivers and the sea, a strip about one hundred miles wide across eastern Virginia, extending from the Potomac River to North Carolina. Back of this was another belt of about equal area, lying between the falls of the rivers and the mountains, and bounded likewise by the Potomac on the north and Carolina on the south. It remained practically unexplored for more than half a century after the lower rivers were settled. Few references to the region are found in authors who wrote earlier than 1670. When, however, explorers began to push into the back country, they found that Indians had been as industrious with their forest fires there as in the lower country. Large areas of pasture lands, designated as savannahs, occupied tracts from which former forests had disappeared. John Lederer, whose account of Indian corn fields on tributaries of the Roanoke has been quoted, left record of extensive openings which were unquestionably due to fires. Of one such near the source of the Rappahannock River he wrote in August, 1670:

"We traveled through the savannah among vast herds of red and fallow deer which stood gazing at us, and a little after we came to the promotories or spurs of the Appalachian mountains. These savannahs are low grounds at the foot of the Appalachians which all the winter, spring, and part of the summer lie under snow and water, when the snow is dissolved, which falls down from the mountains commonly about the first of June.[33] Then the verdure is wonderfully pleasing to the eye, especially of such as having traveled through the shade of the vast forest, come out of a melancholy darkness of a sudden into a clear and open sky. To heighten the beauty of these parts, the first springs of

[33] This sentence is important if it correctly states climatic conditions along the Blue Ridge in Virgina at that time. If the last of the snow did not melt till the first of June, two hundred and fifty years ago, when Lederer was there, the springs were much later then than now, and the theory that forests delay the melting of the snow is apparently strengthened. However, the explorer took his notes in August, and had never been there before, and never was again, and he could not have spoken of spring conditions on the authority of personal observation. It is presumed that his Indian guides furnished him with all the information he had as to the usual climatic conditions there, and the correctness of the information is open to question.

most of those great rivers which run into the Atlantic Ocean or Chesapeake Bay, do here break out, and in various branches interlace the flowery meads whose luxurious herbage invites numerous herds of red deer, improperly called elks by ignorant people." [34]

Beverley the historian, who whote about thirty-five years later than Lederer, and if not an eye witness himself, doubtless had conversed with persons who were, speaks thus of conditions found in the mountains of Virginia by early explorers:

"They found large level plains, and fine savannahs three or four miles wide, in which were an infinite quantity of turkeys, deer, elks, and buffaloes, so gentle and undisturbed that they had no fear at the appearance of men, but would suffer them to come almost within reach of their hands." [35]

Speaking elsewhere of explorations near the sources of the principal Virginia rivers, Beverley says:

"In some places lie great plats of low and very rich ground, well timbered; in others, large spots of meadows and savannahs wherein are hundreds of acres without any tree at all, but yield grass and reeds of incredible height. And in the swamps and sunken grounds grow trees as vastly big as I believe the world affords, and stand so close together that the branches or boughs of many of them lock into one another; but what lessens their value is that the greatest bulk of them are at some distance from water carriage." [36]

William Byrd, who wrote a history of the survey of the dividing line between Virginia and North Carolina in 1728-9, fre-

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[34] Lederer, p. 35. The elk spoken of by the explorer was the wapati, never called by any other name than elk by the people of Virginia. It was not extinct in the mountains of that State within the memory of persons still living—one having been killed in 1856, on Black fork of Cheat river, now West Virginia, and others were reported, but not killed, near the head of Greenbrier river during the Civil war.

[35] Beverley's History of Virginia, page 62. The buffalo was common in Virginia at that time, and remained in the mountains for one hundred years after. The last one killed in the State, so far as recorded, was shot in 1825, in Randolph county, now West Virginia.

[36] "History of Virginia," p. 107.

quently mentions tracts on which fires had greatly damaged the timber. The surveyors were inconvenienced on different occasions by the proximity of forest fires. He speaks thus on one occasion, the place being in southwestern Virginia:

"The atmosphere was so smoky all around us that the mountains were again grown invisible. This happened not from haziness of the sky, but from the firing of the woods by the Indians, for we were now near the route the northern savages take when they go out to war with the Catawbas and other southern nations. On their way, the fires they make in their camps are left burning, which catching the dry leaves which lie near, soon put the adjacent woods in a flame."

Some time after that, another fire was observed of which he speaks: "As we marched along we were alarmed at the sight of a great fire which showed itself to the northward." * * * "We could not see a tree of any bigness standing within our prospect, and the reason why fire makes such a havoc in these lonely parts is this: The woods are not there burnt every year, as they generally are among the inhabitants, but the dead leaves and trash of many years are generally heaped up together, which being at length kindled by the Indians that happen to pass that way, furnish fuel for a conflagration that carries all before it.

In 1716 Governor Spotswood of Virginia led a party of explorers across the Blue Ridge into a very small part of the Shenandoah Valley. Though that region was not one hundred miles from tidewater, and the lower part of Virginia was colonized a hundred years before, the Shenandoah Valley was an unknown land. If Governor Spotswood left a journal or report of his discoveries it has never come to light. Practically all that is known of the expedition that can in any way interest the geographer, is contained in a diary by James Fontaine, one of the Governor's companions. The diary is more minute in its accounts of the stores of liquors carried and consumed, and in the size and number of rattlesnakes killed, than in descriptions of the country, yet a little of the information is valuable. The following from his journal, in the same year to Brunswick County in the southwestern part of the State applies to a tract some distance east of the Blue Ridge:

"We met with several Indians, and about twelve we came to Meherin River, opposite Christanna Fort. We saw this day (April 2, 1716,) several fine tracts of land, and plains called savannahs, which lie along by the riverside, much like our low meadow lands in England. There is neither tree nor shrub that grows upon these plains, nothing but good grass, which, for want of being mowed or eaten down by cattle, grows rank and coarse. These places are not miry, but good, firm ground." [37]

The promptness with which forests take possession of cleared ground in Virginia is proof that the meadows and savannahs described by Lederer, Fallows, Beverley, Fontaine, and others, had not been long exempt from periodic fires which kept seedling trees out. At the present day, woods quickly spring up at the first opportunity, and the following extract from Beverley shows that they did the same thing two hundred years ago:

"Wood grows at every man's door so fast that after it has been cut down it will in seven years' time grow up again from seed to substantial firewood, and in eighteen or twenty years it will come to be very good board timber." [38]

TREELESS TRACTS IN THE SHENANDOAH VALLEY.

The foregoing descriptions of broken and depleted forests in Virginia relate chiefly to the region between the mountain and the sea, with a glimpse of the vacant land stretching from the southern mountains to the Ohio River. An interesting tract yet remains for examination. It is the Shenandoah Valley, a small part of which Governor Spotswood saw but did not describe. It is one of the finest regions in the United States, and it was doubtless a favorite hunting ground for Indians since time immemorial. No portion of Virginia was more terribly burned. In some parts of the valley, the lower portion in particular, Indian fires had done their worst before white men came. The exact date of the region's first exploration, if Spotswood's was not

[37] Rev. James Fontaine's Journal, printed in "Memoirs of a Huguenot Family," edited by Ann Maury, p. 271. Fontaine's Journal is printed also in Philip Slaughter's History of St. Mark's Parish, Va.

[38] "History of Virginia," page 108.

the first, is not known. The falls of the Potomac, fourteen miles above Washington, seem to have been the limit of exploration about the year 1700.[39] The Shenandoah Valley is known to have been a highway for Indians traveling north or south, and camps of natives were in the valley, at certain times at least, until after settlements by white men began, about 1730; but the valley probably had no resident tribes subsequent to the Iroquois conquest about 1672. The worst burning doubtless occurred before that time. A vague account of the region reached John Smith when he was exploring the Rappahannock a hundred years before the first white man is known to have seen the valley. It is worthy of note, and remarkable, that the very earliest reference to the region was misleading in an essential point, for the valley was said to be a place which Indian fires had not yet injured. When John Smith questioned the warrior Amoroleck whom he captured on the Rappahannock, as to the land beyond the mountains, the Indian's answers showed that he knew of the Blue Ridge, but all he could tell of what lay beyond was that "the woods had not been burnt." If the warrior referred to the lower part of the Valley of Virginia, he was mistaken, for the woods had been burnt. An area now occupied in part by the three counties—Frederick, Berkeley, and Jefferson—was treeless. The burnt lands extended across the present State of Maryland, and into Pennsylvania, and in those States were long called "The Barrens," and occasionally are still so called, on account of the stunted timber which once grew there.[40] The area of the treeless region in the Shenandoah Valley exceeded 1,000 square miles in one body.[41] Grass covered

[39] See an affidavit in the report of a commission appointed to survey Lord Fairfax's Grant, given in Col. William Byrd's works, Vol. 2, p. 106.

[40] These "Barrens" are referred to in a report by the United States Geological Survey, "The Potomac River Basin," Water Supply and Irrigation Paper 192.

[41] This statement depends chiefly upon Samuel Kercheval's "History of the Valley" for its authority, though other writers refer to the devastation wrought there. Kercheval could not have had personal knowledge of it, but he might, and very probably did, talk to old men who were eye-witnesses of the conditions he describes. Reference to the matter may be found on pp. 48 and 312, of the third edition of his book, printed at Woodstock, Va.

the region except for an occasional fringe of trees along the streams where fires would not burn. When the Indians no longer set their fires, trees began to creep back, and the early settlers were obliged to clear away the young growth to open their farms.

In W. H. Foote's *Sketch of Virginia*, he says: "A large part of the valley from the headsprings of the Shenandoah to the Potomac or the Maryland line, a distance of about 150 miles, embracing ten counties, was covered with prairies abounding in tall grass, and these, with scattered forests, were filled with pea vines. Much of the beautiful timber in the valley has grown since the emigrants chose their habitations."

The Virginia Indian's Influence Upon the Spread of Species.

There is little if any evidence that the Virginia Indians planted trees with deliberate purpose, but there is no doubt that they caused trees to grow where unaided Nature would not have planted or maintained them. "By the dwellings of the savages," says Captain Smith, "are some great mulberry trees, and in some parts of the country they are found growing naturally in pretty groves." Other contemporaneous writers were impressed with the number of mulberry trees near the Indian towns. The natives manifested a great fondness for the fruit. It was claimed by early chroniclers that both the red and white species were native in Virginia, and Beverley thought there were two red species and one white; but there was only one mulberry found wild in Virginia at the time of settlement. The white species was imported.[42] The early colonists thought that the many mulberry trees growing about the old Indian field, might be turned to account in silk growing, but the downy leaves of the red mulberry are unsuited as food for silkworms, and the experiments were not successful.[43] The mulberry, in common with all fruit trees, bears more abundantly when growing in the open than

[42] "Check List of the Forest Trees of the United States," by G. B. Sudworth, 1898.

[43] "The mulberry trees had a prickle in them which destroyed the silkworms when they came to any bigness."—Stith's History of Virginia, p. 286.

when crowded in forests, and because of this fact, trees near Indian towns would naturally multiply from the abundance of seed scattered about the clearings. The value of the trees for growing food was sufficient to cause the savages to spare them, and in time large numbers would be found, exactly as reported by Smith and others.

Simlar causes would tend to increase the number of all trees whose fruits were valuable to the Indians as food. Fragmentary accounts by early historians leave no doubt that the persimmon, hickory, and black walnut were much more abundant and prolific there than they would be in unbroken forests. Plums were plentiful, and this fact points to open tracts and thin woods, for it is well known that the plum bears little fruit in thickets, and the trees are not plentiful. Hickory and black walnut were said to constitute one-fourth of Virginia's forest trees in the early years of the colony.[44] That is a much higher per cent. than these two species hold now in any extensive tract of forest which has not been greatly thinned by fire or otherwise. They are disposed to resist the crowding process, are intolerant of shade,[45] and their abundance, if not greatly overestimated by contemporary writers, is proof that the Virginia woods were thin and let in abundance of light. Both the hickory and the walnut were generally called walnut in the eastern States in early times. Both are aggressive and vigorous trees, and were just the sort to push in and take possession of open spaces in the woods where soil was suitable. Their seeds are large, and their nutritious kernels tempt squirrels and other animals to carry them considerable distances, and plant them abundantly. The Indians valued the nuts of both trees as food, and near their towns would encourage rather than hinder their growth.[46] The natives sometimes used hickory ashes as a substitute for salt.

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[44] "Virginia Richly Valued," Force's Collection, Vol. 3, p. 15.

[45] "Black Walnut," U. S. Forest Service Circular 88, p. 3, and "Shagbark Hickory," Circular 62, p. 2.

[46] It has been asserted that Indians were accustomed to plant walnuts along their trails, and by that means assist the spread of the species. If such a custom prevailed in Virginia, early writers failed to observe and make note of it.

The persimmon was fruitful in Virginia, and trees were abundant. Few explorers failed to mention it in their journals, and it was said to produce "like ropes of onions," which was doubtless an allusion to the long, thick clusters of fruit on the twigs. The persimmon does not yield abundantly unless growing in the open, and its remarkable fruitfulness, which was mentioned by so many early chroniclers in Virginia, renders it highly probable that when the settlement of the country began, the tree was industriously taking advantage of the burnt woods and old fields to extend its range.

Sumac and sassafras were plentiful in Virginia three hundred years ago, and they, too, are old field trees, and thrive in open ground where light is good.[47] The Indians made some little use of both as food, and of sumac for dyeing, but perhaps neither had much importance in their estimation. The spread of both species is generally due to the scattering of seeds by birds, but the ground must be moderately open, or little germination and growth will occur. That these conditions were generally found is evident from the abundance of sassafras and sumac in the region when white men first became acquainted with the coast of Virginia. To this day, Virginia remains an important source of sumac for tanning, and of sassafras for oil, and the supply comes from old fields and abandoned lands.[48]

SCARCITY OF PINE.

A great change has occurred in three centuries in the size and location of the areas occupied by pine in Virginia. At the present time it monopolizes a large part of the old fields, and

[47] "In the low maratime parts of Virginia, the two Carolinas, and of Georgia, the sassafras is observed to prefer plantations and soils which have been exhausted by cultivation, and abandoned." "The North American Sylva."—F. A. Michaux, Vol. 2, p. 114.

[48] About 1620, sumac bark in Virginia was quoted at $35 a ton, and Strachey affirmed that there was "great plenty in Virginia, and good quantity will be vented in England."—"Virginia Richly Valued," p. 52. A few years later Hugh Jones spoke of its great abundance in the colony, "so useful in the dyeing trade." "Present State of Virginia," p. 61.

when persimmon, hickory, walnut, plum, and mulberry fight with it for possession, they have little chance. Conditions have evidently been reversed since Indian times. At the period of discovery, pine was confined chiefly to the immediate coast, and to tracts near the mouths of large rivers, if reliance may be placed upon the negative evidence deduced from the fact that the first historians seldom spoke of it back from the shore. There is also some evidence of a positve kind. About 1622 a report was made on the pine in Virginia. The London Company was advised by the Governor and council that the profitable manufacture of pitch and tar in the colony would be doubtful because the pine trees were so widely scattered that the product could not be conveniently collected.[49]

The presumption is that Indian fires in tidewater Virginia had not yet sufficiently opened the woods to give loblolly pine a foothold in the interior, but that it began its all-conquering advance up the country after tobacco and corn had inpoverished the soil, and numerous plantations had been abandoned. That condition was not brought about until after the Indians had retired from the region.[50]

VIRGINIA'S PREHISTORIC FORESTS AND INDIAN FIRES.

History does not tell of the beginning of forests or of fires in Virginia or anywhere else in America. The Indians were doubtless in this country many thousand years ago. An immense period of time was required for the spread of tribes from end to end and side to side of North and South America. History does not so much as suggest the limit of the red man's antiquity, and geology throws little light upon it. His ancestors probably hunted the musk ox in the Ohio Valley during the age of ice. If they did, then the Indian witnessed the slow advance of forests northward as the sheet of ice retreated into Canada,

[49] Neill's "Virginia Company of London," p. 283.

[50] It is said that the spread of scrub pine over southern New Jersey occurred within historic times, and that the growth of that species was originally confined to the bank of the Delaware river—"History of the Lumber Industry in America," by J. E. Defebaugh, 1907, Vol. 2, p. 492.

and he saw species after species creep over the barren tracts. If such was the case, the red man, during his long and uninterrupted occupancy of the land, was acquainted with all successive forest conditions, with every change, every advance and retreat of species in this country, during a hundred centuries or more. Was he always a forest burner?

There is ground for the opinion that the Indian was not always an incendiary. Had he been one, the woods could not have spread so wide and so far. Nothing is more certain than that oft repeated and long-continued fires will finally destroy a forest and make a prairie or a desert. Had the natives been indulging their habits of firing the woods from time immemorial, they would have kept down the forests, and white men from Europe would have landed upon the shores of a grass continent. That such was not the condition at the time of discovery is warrant for the belief that the Indians had acquired their incendiary propensities within a comparatively recent period, and, at the same time, evidence is apparently conclusive that the fires were gaining the mastery over the woods, and that the primeval forests were disappearing.[51]

Without doubt considerable forest burning would have occurred if not a human being had been on the American continent. Many fires are started by lightning. Statistics collected by the United States Forest Service for the year 1909 show that of 3,138 forest firest reported, 294 were caused by lightning.

[51] "If the advent of European folk in the Mississippi valley had been delayed another five centuries, the prairie country would doubtless have been made very much more extensive. Thus, in western Kentucky, a territory of about five thousand square miles in area had recently been brought to a state of open land by the burning of the forests. All around the margin of this area there were only old trees scarred by successive fires, there being no young of the species to take the place as they fell. It is probable that with another five hundred years of such conditions, the prairie region would have extended up to the base of the Alleghanies, and in time all the great Appalachian woods, at least as far as the plain lands were concerned, would probably have vanished in the same process." "Nature and Man in America," by N. S. Shaler, New York, 1901, pp. 186 and 187.

The theory that the Indians of the Mississippi Valley commenced burning forests when the buffaloes appeared, finds some support in the records of history and geology. If the theory is correct, the buffalo originated among or beyond the Rocky Mountains, and, spreading eastward in search of pasture, reached the forests of the Mississippi Valley. That is believed to have occurred in comparatively recent times, perhaps not much more than a thousand years before the discovery of America. Evidence of it is found in the absence of buffalo bones in waste heaps, caves, drift, gravel, and bogs of the region until the most recent deposits were made. The mound builders pictured almost every animal now found native in the region, except the buffalo, and this fact is interpreted to mean that those people were not acquainted with the buffalo. In the fossil deposits about certain saline springs in Kentucky are found the bones of many extinct and still living animals, from the musk ox of the ice age, down to the creatures of the present. They lie in the bogs, layer upon layer, the oldest below, the most recent on top The bones of the buffalo are found only in the surface layer, showing that this great quadruped came the most recent of all.

It has been supposed that the Indians who built the mounds in the Mississippi Valley were agriculturists, and were beginning to rise in the scale of civilization, but with the coming of the buffalo they found it so much easier to live on the flesh of that animal than to cultivate the soil, that they abandoned their fields, turned hunters, and lapsed into savagery.[52] In order to enlarge the grass tracts and afford pasturage for buffaloes, they burned the land, killed the timber, and the encroachment of prairies upon the forests began from that time.

Certain it is that the buffalo had reached the Atlantic coast at the time of the discovery of America. It is also certain that it was a grass eater and sought open tracts where pastures were good. Buffaloes were much more numerous in Virginia than in Pennsylvania east of the mountains, and on the Atlantic slope William Byrd, writing in 1729, said they were seldom found north of the fortieth parallel of latitude. These animals made

[52] "Nature and Man in America," N. S. Shaler.

trails long distances through the wooded regions, connecting one pasture with another. There is no question that Indians burned the pastures and surrounding woods yearly to improve the range, increase game, and make hunting easier. The deer, elk, and buffalo were among the finest game animals in Virginia, and quotations from Beverley, Lederer, Fallows, Byrd, and others show that these animals congregated in large numbers where grass was found. It was to the Indian's interest to thin and destroy the woods that grass might grow more abundantly, and no one acquainted with his habits has ever charged him with neglecting his interests in this particular.

The greatest buffalo hunters of all the Indans in America were the Sioux, who occupied seven hundred thousand square miles of territory west of the Mississippi, from the Arkansas River northward. Investigators have been led to believe that the ancestors of those Indians had something to do with prehistoric Virginia. It is not imporbable that their buffalo hunting began there, and that they moved west, allured by the greater abundance of those animals, at a period so recent as to form a connecting link between tradition and history. A study of geographic names, of languages, and of traditions has apparently indicated that the cradle of the Siouan nation was in the mountains of western Virginia, upon the Monongahela, Kanawha, and Great Sandy Rivers.[53] It has been supposed that when the great western migration occurred, certain remnants remained behind, and moved over the mountains to Piedmont Virginia. There they were found by explorers a year or two after the founding of Jamestown. They extended from the Potomac at Harper's Ferry southward, near the mountains, to South Carolina. They were warred upon by Powhatan's Confederacy on the east, and later by the Iroquois from the north. John Smith fought the Sioux upon the Rappahannock River in 1608. The warrior Amoroleck, who told Captain Smith that the woods behind the Blue Ridge had not been burned, was a Sioux. The Indians whose deserted corn fields Captain Batts found on New River in 1671 were

[53] "The Siouan Tribes of the East," by James Mooney.

Sioux, and those were also Sioux who, according to Lederer, constantly kept corn stored for a year's supply.[54]

It does not necessarily follow that, after Indians commenced to burn the forests of a region, they kept at it incessantly until the woods were gone. Certain large areas doubtless had periods of rest during which they could, in a measure, recuperate, and could restore many bare tracts to woods again. No fact of Indian history is better known than that extensive regions were left without inhabitants during long periods. These would be times of rest, and of growth, while, perhaps, in another region, a hundred miles away, fires would continue without interruption year after year. When the Iroquois drove the Shawnees out of what is now West Virginia in 1672, they left the region without people, and it had a hundred years of rest during which there were few fires, and forests restored themselves. A large part of Kentucky was without Indians at the time of discovery, and its forests had opportunity to recover. At the time Virginia was settled, the whole interior of Pennsylvania was an unpeopled wilderness. Similar conditions were doubtless found, at one time or another, in many parts of this country—periods of excessive burning, followed by times of rest, during which the Indians and their fire brands were absent. Virginia, between its mountains and the sea, was passing through its fiery ordeal, and was approaching a crisis, at the time the colonists snatched the fagot from the Indian's hand. The tribes were burning everything that would burn, and it can be said with at least as much probability of Virginia as of the region west of the Alleghanies, that if the discovery of America had been postponed five hundred years, Virginia would have been pasture land or desert.

[54] See "The Siouan Tribes of the East" for much history and many details on this subject. "The great overmastering fact in the history of the Siouan tribes of the east is that of their destruction by the Iroquois." p. 14.

Mary, Sarah, Harriet and Martha Throckmorton. This affiant states that Mary Throckmorton, the daughter of Warner and Mary Throckmorton as aforesaid, intermarried with William Taliaferro, and died in the life time of William Langborn Jr. leaving an only child a son, named Warner T. Taliaferro who is now alive. That Sarah Throckmorton intermarried with John Dixon, and died in the life time of William Langborn Jr. leaving only three children, viz.: Isabella S., Harriet P., and John Dixon, afterwards called and known by the name of John L. Dixon; The said Isabella S., Harriet P. and John L. Dixon, all survived the said William Langborn Jr., Isabella S. Dixon intermarried with George H. Burwell, and is now dead, the said George H. Burwell surviving still, the said Isabella S. left children, male & female, who are still alive, but their names and times of birth are unknown to this affiant. Harriet P. Dixon intermarried with Jacob C. Sheldon, both of whom are now alive. This said John Dixon, called and known by the name of John L. Dixon as aforesaid, has died since the death of William Langborn Jr. unmarried, testate and without issue. That Harriet Throckmorton aforesaid intermarried with William Taliaferro, and died in the life time of William Langborn, Jr., leaving only two children sons Alexander G. and William Taliaferro of whom Alexander G. is the Elder, both are now alive. That Martha Throckmorton intermarried with Richard Jones and is still living, she has four children, viz: Ann P. Jones who has intermarried with Mann Page, Harriet T. Jones, Richard P. Jones & Warner T. Jones.

This affiant further states that he was administrator of the said Major William Langborn and Executor of the younger Langborn; that he knew that Major William Langborn in his life time, and after his death William Langborn the younger, were both in the habit of receiving the rents, issues and profits of real estate in London, which real estate was under the management and control of one William Murdock, as their agent, and this affiant himself after the death of Major William Langborn, received through the agency of the said Murdock, remittances, on account of said real estate for the younger Langborn; The said Major William Langborn died without will, the younger Lang-

born left a will, which was proved to have been wholly in his own handwriting, and duly recorded, there were no subscribing witnesses thereto.

This affiant further states that the said Richard Jones the husband of Martha is dead.

This affiant further states that it has been the custom in this country, to keep private family records of marriages, births and deaths, and that this affidavit has seen, and has now before him an old family Prayer Book containing a Register of the Throckmorton family, which is in the following words and figures, to-wit:

"Warner Throckmorton was born 15th day of November on a Thursday 1750 old stile.
"Warner Throckmorton & Mary Langborn were married Feb. 25, 1776.
"Sarah Throckmorton was born August 27th 1779—Friday 9 o'clock
"Mary Throckmorton was born October 12th 1782.
"Martha Throckmorton born April 1785.
"Harriet Throckmorton was born June 10th 1786.

And this affiant in the same Book and place find the following record vizt:

"William Langborn born May 30th 1756.
"Mary Langborn born February 25th 1758.

The last two named persons are the persons designated in this affidavit as Major William Langborn, and Mary Langborn who intermarried with Warner Throckmorton.

And this affiant in the same book at a different place finds the following records:

"John Dixon & Sarah Throckmorton was married in June or July 1795.
"Isabella S. Dixon born March 1802.
"Harriet P. Dixon born Decr. 1809.

And this affiant in another Prayer Book finds the foregoing record viz:

"George H. Burwell married to Isabella S. Dixon the 28th March 1820.

And this affiant has no doubt that the said Registers are correct.

This affiant further states that after the death of Sarah Dixon, who was Sarah Throckmorton, and the wife of John Dixon as aforesaid, the said John Dixon intermarried a second time and died leaving a widow who is now alive, named Mary T. Dixon, who is the same Mary T. Dixon named in the will of John L. Dixon, aforesaid, and he also left a daughter by the name of Mary E. Dixon, who is the same Mary E. Dixon named in the will of John L. Dixon as his sister—who has since died leaving no issue.

And further this affiant saith not.

BURWELL BASSETT.

UNITED STATES OF AMERICA
STATE OF VIRGINIA
CITY OF WILLIAMSBURG, *to-wit:*

I Henry Edloe Mayor of the said City of Williamsburg, State of Virginia: Do hereby certify and make known, that Burwell Bassett the affiant whose name is subscribed to the foregoing affidavit, this day personally appeared before me, who am duly qualified and authorized by the laws of this Commonwealth to administer an oath, and in my presence subscribed his name to the said affidavit; and further made oath that the matters and things set forth and contained in the said affidavit, by him subscribed as aforesaid, are true to the best of his knowledge and belief.

Given under my hand and seal[1] of office at the City aforesaid this 17th day of May one thousand eight hundred and thirty-seven.

H. EDLOE, Mayor.

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[1] The seal of Williamsburg which is attached to this paper has the figure of Minerva holding a spear in one hand and a shield in the other, upon which is the head of Medusa. At her feet is an owl Around the perimeter are the words City of Williamsburg.

RECORDS OF THE ADAMS FAMILY OF FAUQUIER COUNTY.

(Communicated.)

Littleton Adams and Elizabeth Ash were married 23rd September 1779.

Littleton Adams and Harriet Smith were married 5th March 1793. Harriet W. Adams died 16 June 1848.

Andrew Turner and Anna Adams daughter of Littleton & Elizabeth Adams were married December 9th 1801.

Francis Adams & Chloe Barker were married January 1805.

Willis Adams & Sarah Chinn were married 1812.

George Adams & Ann Chinn were married

Thomas M. Adams & Frances Jett were married 1818.

George Jackson & Mary Ann Adams were married Decbr. 22nd 1835.

Littleton Adams was born 23rd February 1752. Died Feb. 9 1833.

Elizabeth, his first wife, born 24 Jany 1760. Died Augt 10th 1791.

Harriet, his 2nd wife, born 18th April 1764. Died June 15th 1848.

Anna Adams daughter of Littleton & Elizabeth Adams was born 25 July 1780. Died March 17, 1805.

Francis Adams, was born Jany 5, 1783. Died January 20 1841.

John Adams was born Febry. 26 1784. Died June 25 1813 in Battle at Hampton.

George Adams was born March 12 1786. Died Oct. 5th 1868.

Willis Adams was born July 2, 1789. Died June 5, 1847.

Thomas Marshall Adams son of Littleton & Harriet Adams born April 23 1794. Died Septemr 8 1831.

Elizabeth Marshall Adams born Febry 22 1796. Died February 10th 1873.

Charles Brandt Adams born February 23 1798. Died August 11 1809.

Mary Ann Adams, born Jany 7 1804. Died Jany 20 1847.

John A. Turner, son of Andrew & Anna Turner was born 6th Septr 1802. Died September 6 1840.

Elizabeth Ann Turner was born 17 Jany 1804.

Littleton Turner Adams son of Francis & Chloe Adams was born

Elizabeth M. Adams and Harriet W. Adams daughter of Thomas M. and Fanny Adams born Novr 25 1821.

Joanna M. Adams born May 31th 1829.

Mary Ann Adams born May 13th 1830.

Susan Thomas Adams born January 19th 1832.

Harriet V. Jackson daughter of George & Mary Jackson was married to W. H. E. Morecock April 6th 1865.

John N. Fishback & Annie E. Jackson daughter of George & Mary Jackson was married Nov. 10th 1870.

Wilbur L. Jackson son of George & Mary Jackson was married to Sarah F. Winecoff Aug 9th 1882.

CLACK FAMILY

The tombstone of Rev. James Clack lies in the churchyard of Ware Parish Church in Gloucester Co., Va. It tells us that he was the son of William and Mary Clack, that he was born in Marden, County Wilts, England; that he came out of England in August, 1678, arrived in Virginia, January 1, 1679, and Easter day of that year became minister of Ware Parish, where he continued for forty-five years, dying Dec. 20, 1723. QUARTERLY III., 32.

It is believed that James Clack, who was living in Gloucester in 1740 and was guardian of Charlotte, daughter of Robert Ballard, deceased, of York County, was his son. (Ibid III., 42.) He moved to Brunswick County, where his will dated June 3, was proved August 23, 1757. He names wife, Mary, children John Clack, William Clack, Dolly Clack, Sarah Maclin, Betty Anderson, and makes Robert Ruffin and William Thornton his executors. His wife Mary Clack made her will April 23, 1763. She names her sons John and William Clack, son-in-law Robert Ruffin, and grandchildren James and Eldridge Clack.

The will of Sterling Clack of the parish of St. Andrews, Brunswick County, who was clerk of the county, was dated in January, 1750, and proved March 26, 1750. It gives all property to John Lightfoot, Esq., for payment of debts and equal division among his wife and children, and appoints John Clack and Lewis Parham to administer his effects. By a codicil he devised the manor plantation to his son Eldridge Clack.

John Lightfoot made his will April 20, 1751, which was proved in Brunswick County. He was very wealthy and left a large legacy to his wife, including his chariot and horses, and names the following persons: Brother William Lightfoot, James Burwell, son of Nathaniel Bacon Burwell decd., and Eliza Burwell his daughter; £200 to Betty Clack, Dolly Clack, and Sally Clack, daughters of James Clack; John Clack and William Clack, sons of James Clack; Brother Armistead Lightfoot; £200 to Sterling Thornton, Sen., £175 to William Thornton, Sr., of Gloucester. He made Brother William Lightfoot, Lewis Burwell, of Gloucester, William Nelson and Thomas Nelson, executors, Witnesses: H. Harrison, C. Courtney, Augustine Curtis, Nicholas Massenburg.

Issue of James and Mary Clack (1) Sterling Clack, clerk of Brunswick County, married Anne Eldridge, and had issue: James and Eldridge Clack, probably others.[1] After his death in 1757, his widow, Anne, renounced the provisions of his will. (Brunswick County Records.) (2) Mary, married I. John Lightfoot. No issue; II. Robert Ruffin, (marriage bond Sept. 6, 1751), (3) Jane, born January 9, 1721, who married January 25, 1738, William Thornton (born June 9, 1721, died 1790, when his will was proved in Brunswick Co.), (4) Sarah, married William Maclin, Jr., (marriage bond in Brunswick, Sept. 25, 1754), (5) Betty, married Claiborne Anderson, of Chesterfield. (Marriage bond in Brunswick, July 14, 1753, (6) Dolly, (7) John Clack, justice of Brunswick Co., in 1765, and other years, married Mary Kennon, daughter of Richard Kennon and Agnes Bolling, and had Anne and Patty Kennon Clack. (QUARTERLY XIV., 134).

[1] In the will of Judith Eldridge, who was evidently mother of Anne Clack, mention is made of her grand daus. Mary, Elizabeth, Judith and Anne Sterling Clack. (Sussex County Records.)

Probably other children, including Richard Clack, who married (1) Anne Hardaway in 1786, and II. Amey Macklin in 1794. This Richard names in his will children Elizabeth Parsons Clack, Frederick Macklin Clack, and other children, whom he does not name. There is a deed recorded in Brunswick County from John Clack and Mary, his wife to Robert Ruffin. Witnesses: William Thornton, John Maclin and William Clack. (8) William, married Betty Twitty under 21. (Marriage bond, 1757.)

In Brunswick County is the marriage bond of Henry Robinson and Mary Clack. Security John Clack and Edward Robinson. September 30, 1770.

THORNTON FAMILY.[1]

In QUARTERLY IV., 90, Mr. Stanard quoting the Family Bible, states that William Thornton, Jr., of Gloucester County, had the following sons: (1) William, who died early; (2) *Francis*, born June 7, 1692, and died February 6, 1737. He was vestryman of Petsworth Parish; (3) Seth, born Oct. 13, 1694, vestryman of Petsworth Parish, Gloucester County; (4) *William*, born March 31, 1699. He had a twin in a sister Prudence; (5) John, born April 17, 1701.

In Gloucester County a slab used as a door step at the house of an old gentleman named Henry H. Hibble once covered the grave of 4 William Thornton. It bears the following inscription:

> Here lyeth the Body of Mr. Wm. Thornton
> who married the youngest daughter of Mr. Jno.
> Meux, by whom he had eight children, two of
> them lyeth on his left hand, the others are as
> Follows, Elizabeth, Ann, William, Meux,
> Richard and John. He was a loving Husband
> a Tender Father and kind Neighbor
> He dyed May ye 3d., 1745
> Aged 46 years.

[1] An extended account of this family by W. G. Stanard appeared in the back numbers of this magazine.

William Thornton married Miss Meux. She was probably Anne Meux, daughter of Richard Meux and Elizabeth Lightfoot, daughter of Major Sherwood Lightfoot of New Kent. (See Meux Family, QUARTERLY XVI.)

They had issue surviving: Elizabeth, Ann, William, living in 1761 when he kept the Ferry at Cappahosic, Meux who married Anne Jones, daughter of Richard Jones and Anne Simmons, Richard and John. Meux Thornton, living in 1787 was probably son of Meux Thornton and Anne Jones.

2. Francis Thornton (born June 7, 1692; ded February 6, 1737), had issue (1) William, and probably (2) John, of North Carolina, who in 1751 sold lands in Brunswick to Sterling Thornton, (3) probably Sterling, living in 1751 in Brunswick County.

William Thornton, son of Francis, married Jane Clack (born January 9, 1721) daughter of James Clack, of Brunswick County and Mary, his wife, and had issue:[1] (1) Francis, died early; (2) James, born July 11, 1743. In 1765 he made a deed in Brunswick County to John Jones, and in 1762 he married Elizabeth Jones (marriage bond at Oxford, Granville County, N. C.) (3) John, born Sept. 13, 1744; (4) Elizabeth, (5) Francis, born January 22, 1747; (6) Mary, (7) William, born April 14, 1751, married Sarah Goodrich, daughter of Edward Goodrich (marriage bond in Brunswick, dated Feb. 16, 1774), (8) Sterling Clack, born Aug. 12, 1753, (9) Reuben, born March 28, 1756; (10) Ann Sterling, (11) Mary, (12) Jane, (13) Peter Presley, whose descendants are given by Mr. Stanard. William Thornton's will was proved in Brunswick Co., Nov. 23, 1790. It names wife Jane and makes sons Francis, Sterling Clack and Peter Presley Thornton executors; he speaks of his surviving children and excepts his son James out of the devise. Sterling Thornton, son of Francis, was probably the first husband of Jane Boswell, who married 2dly John Seawell, and father of Sterling Thornton, who married Anne Cary, of Matthews County, and made his will March 28, 1790. This second Sterling Thornton had a son John, a minor, who survived him, and a brother Francis, who had issue: James,

[2] QUARTERLY, IV., 158.

Elizabeth, Ann and Francis living in 1790. It is probable that Francis Thornton (born June 17, 1692) married a daughter of Rev. James Clack, and hence the name "Sterling" which appears also in the Clack family.

In Stafford County John Thornton made his will Aug. 15, 1788, and codicil Feb. 23, 1789, which was proved April 10, 1789. It names wife, Catherine (she was Catherine Yates, daughter of Rev. Robert Yates) to whom he gives his chariot and four horses; sons Anthony, Benjamin Berryman and Wm. Thornton, the last named in codicil as just born. Directs his property in Gloucester to be sold, and makes "his friend Seth Thornton, of Caroline, John Taliaferro, of Hayes, in King George County, Samuel Triplett and Samuel Love in the County of Loudoun," executors of his will. His widow married Jan., 1781, Dr. Robert Welford.

A Major John Thornton was a vestryman of Blissland parish, New Kent Co., and died in 1730. (Blissland Parish Vestry Book.)

A John Thornton was the fourth husband of Anna Maria Jones, daughter of Rev. Rowland Jones. She died in 1760, and in her will proved in York County, left £400 to her husband John Thornton. This John Thornton was probably the youngest son of William Thornton, Jr.

VIRGINIA: RETURN OF BIRTHS, MARRIAGES, AND DEATHS, 1712. PUBLIC RECORD OFFICE, LONDON. STATE PAPERS C. O. 5, 1316. O. 140.

Communicated by LOTHROP WITHINGTON.

VIRGINIA, FEBRUARY 11TH, 1712.

"The List of Births and Burials herewith sent is not complete; sundry Parishes having failed to make Returns; for tis a thing so new to the People that neither they care to Register their Births and Burials, nor are the Parish Clerks yet brought into a regular method of transmitting them: but I shall endeavour to send your Lords a more exact account for the next half year."

A General List of the Births and Burials in the Colony of Virginia from the first of April 1712 to the first of October Following.

	BIRTHS		BURIALS	
HENRICO COUNTY—	Males	Females	Males	Females
Verina	16	11	5	7
Bristoll, ...	26	14	–	–
PRINCE GEORGE COUNTY—				
Westopher, ...	7	2	3	1
CHARLES CITY COUNTY—				
Weyanoake, ...	6	3	–	3
ISLE OF WIGHT COUNTY—				
Newport, ...	7	9	3	2
NANSEMOND COUNTY—				
Upper Parish, ...	22	22	3	2
Lower Parish, ...	3	3	3	4
NORFOLK COUNTY—				
Elizabeth Parish, ...	23	23	3	3
PRINCESS ANNE COUNTY—				
Linhaven	21	23	6	–
ELIZABETH CITY COUNTY—				
Elizabeth City, ...	7	11	2	–
WARWICH? WARWICK COUNTY—				
Denbigh, ...	5	2	2	–
Mulberry Island, ...	7	3	4	4
YORK COUNTY—				
Charles Parish, ...	6	7	3	2
York Hampton, ...	1	2	4	–
Bruton, ...	5	7	6	4
JAMES CITY COUNTY—				
Merchants hundred, ...	2	1	1	3
James City, ...	2	3	1	1
Wilmington, ...	7	12	2	3
Wallingford, ...	4	3	2	1

NEW KENT COUNTY—				
Blissland (?15),	5	5	4	3
St. Peters,	11	11	–	4
St. Pauls,	30	25	2	2
KING WILLIAM COUNTY—				
St. Johns,	23	17	5	–
KING AND QUEEN COUNTY—				
Stratton Major,	21	8	3	6
ESSEX COUNTY—				
St. Marys,	8	6	1	3
South Farnham,	5	9	4	3
MIDDLESEX COUNTY—				
Christ Church,	17	10	2	3
GLOUCESTER COUNTY—				
Petsworth,	11	11	2	1
Abingdon,	8	8	3	1
Kingston,	6	17	2	1
STAFFORD COUNTY—				
Over Worton,	4	1	6	1
ACCOMACK COUNTY—				
Accomack,	26	19	3	1
NORTHAMPTON COUNTY—				
Hungers,	12	10	3	5
	364	322	93	75

Endorsed. Rferr'd to in Col. Spotswoods Lt. of the 11 February 1712/13. Recd. 22 April 1713; Read 17 July 1713. O. 140.

CARTER GENEALOGY.

By DR. JOS. L. MILLER.

(*Continued from page 243.*)

Since the publication of the October, 1909, *Quarterly*, positive proof as been discovered of the settlement of the Frederick county Carters in that county from Bucks county, Pa., in 1743; which, of course, shows that the circumstantial evidence that seemed to connect James and Joseph Carter, of Frederick, with James and Joseph Carter, of Lancaster and Stafford, was not reliable. Prof. H. T. Louthan, of William and Mary, who has been gathering data of this family in Frederick, will doubtless publish an account of his Carter ancestry, so nothing further of them will be given here.

It has been learned positively that Peter Carter, who died in Fauquier in 1789 at an advanced age, was the son of Captain Thomas Carter, Jr., of Lancaster, as was surmised; and that in addition to the five sons named in the October *Quarterly*, he had four others—Thomas, Joseph, and Norris, who settled on Clinch River, and George, who remained in Fauquier.

Joseph and George were mentioned before as probably the sons of George Carter, of Buckingham.

On page 102 it was stated that Margaret Chew Carter, daughter of John and Hannah Chew Carter, of Spotsylvania, was the wife of Captain John Marshall. She was the wife of Zachariah Taliaferro, of South Carolina, and had a half sister, Margaret Carter, who was the wife of Captain Marshall.

The illustrations for the April *Quarterly* were accidentally omitted, and will be given here.

72. JOHN[4] CARTER (Daniel,[3] Thomas,[2]) was twice married, but had issue only by the first wife, who is thought to have been a Miss Spencer. He married second, in 1757, Mary, "widow of Mr. Thomas Pollard." In her will, dated February, 10, 1792, "Mary Carter, widow of John Carter, dec'd," left all her pro-

perty to her children, Thomas and James Pollard and Mary Pollard James. The personal estate of "John Carter of Corotoman River Planter" was divided between his wife Mary Carter and his four children on March 25, 1783. This estate amounted to £237 6s. 6d, and included six negroes and a good lot of furniture contained in the following rooms: "The hall, the Chamber, the Red Room, the Upstairs, the kitchen, and the Sellar." He owned "a great Bible, 2 sermon Books, a Hymn Book and a parcel of old books." John Carter had issue:

220. Thomas Carter, died in Culpeper in 1813. By mistake it was stated in a former *Quarterly* that Thomas Carter, uncle of this Thomas was the one who settled in Culpeper.

221. Spencer Carter, appeared in a list of Westmoreland slave owners in 1782 as owner of three servants. After his father's death he purchased the home place from the other heirs, and was living in Lancaster in 1785 with a wife and five children.

222. Joseph W. Carter, died in Culpeper in 1827, leaving wife Anne, and is thought no children. This will book is missing. He was a merchant, and at one time had his nephew, Robert Carter, as a partner. September 19, 1803, Joseph Carter and wife Anne sold to Philip Slaughter 280 acres. All were of Culpeper.

223. Lucy Carter, married about 1775 Tapscott Oliver, of Northumberland county. Had three children in 1783.

73. DANIEL[4] CARTER (Daniel,[3] Thomas,[2]) inherited the old home place in Lancaster. His will, probated October 20, 1794, names wife Rachel and children John, Ambrose, Joseph, and Betsy.

John and Ambrose removed to the West and were lost sight of. Joseph married in 1810 Sarah Brent and removed to Kentucky. They had issue: daughters, Sarah Anne, Elizabeth, Rachel, and Frances, all of whom died in early life of consumption; and sons, Brent, d. s. p.; Daniel married Mary Smith and had issue,—Mary and John, who removed to California after the Civil War; and Thomas, born in 1825, married Betty Yarborough in 1847, and died in 1907 without surviving issue. He was a lieutenant in the Confederate army, and after the war removed

to Chicago, where he lost most everything he had in the great fire in that city, and among other heirlooms the portrait of Maj. Edward Dale, but fortunately relatives in Kentucky had had made a copy of this portrait.

79. Rev. JESSE[4] CARTER (Dale,[3] Thomas,[2]) was an Episcopal clergyman. In 1772 he applied for the parish of Southam in Cumberland county, and preached there until November, 1773, when a Mr. Saunders was chosen rector.

Rev. Mr. Carter was living in King and Queen county in 1782, and probably finally settled in Caroline county, as he represented Drysdale parish, Caroline, in the Episcopal Conventions of 1785-'87 and '89. The destruction of the county records prevents our obtaining any further data of him, or any of the other branches of the Carter family that seem to have been settled in Caroline county. The old order books and the marriage register show that there were quite a number of Carters in the county from prior to 1746 on. I have been informed that there are several old Bibles in the possession of the Carters now living in Caroline, but none of them seem sufficiently interested to copy the records from them.

80. JEDUTHAN[4] CARTER (Dale,[3] Thomas,[2]) removed from Lancaster to Cumberland county, and about 1782 from there to Pittsylvania, where he settled a fine plantation called "Mt. View." His wife was Sarah, daughter of Jesse Carter of "Oakland." They had no issue, so by his will, probated November 20, 1820, he left entire estate to wife for the rest of her life, after which it was to go to her nephew, Reuben Hopkins, "If he will come here to live and will give his brother A. F. Hopkins one little negro." Friend Dr. Thos. Anderson to have three negroes.

81. AUGUSTINE[4] CARTER (Dale,[3] Thomas,[2]), born October 22, 1741, made his will October 21, 1811. He left his property to be equally devided between "Mr. Chas. Webb for his kindness to me this present year, and to the poorest man in Lancaster county." Mentions his brother James Carter, who in 1785 was the head of a family of five.

87. THOMAS[4] CARTER (Henry,[3] Henry,[2]) by his will, probated February 16, 1824, in Lancaster, left "the land which was my

father Harry Carter's" to daughters Rebecca and Lucretia, and the rest of his estate to wife Judith, and after her death to go to all their children. If none of them had lawful issue it was to go to the children of Jos. Dale and Robt. D. Palmer, who probably were the husbands of two of Thos. Carter's sisters—Betty, Lucretia or Sinah. Thos. and Judith Carter had issue: Dale, Lucretia, Rebecca, and Harriet, who died in 1866 leaving what she had to friends and to pale in her grave.

94. GEORGE[4] CARTER (Josiah,[3] Henry,[2]) is supposed to have been the George Carter who married Elizabeth James on November 16, 1780, and was living in Lancaster in 1783 with wife and one child.

106. EDWARD[4] CARTER (Peter,[3] Thomas,[2]) had a grant for 340 acres of land in Albemarle (later Amherst) August 19, 1758. He settled here and seems to have died about 1785-'90 without issue.

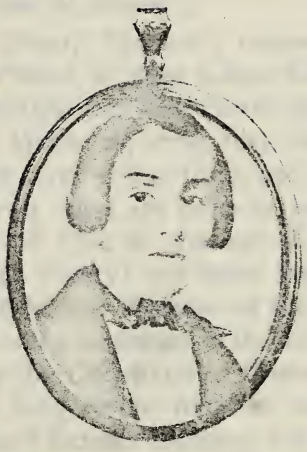
107. HENRY[4] CARTER (Peter,[3] Thomas,[2]) had a grant in Albemarle (later Amherst) for 114 acres on August 16, 1755, and in 1761 for seventy acres adjoining in Amherst. Tradition of another branch says that he removed to Montgomery county, and the Land Office records show that a Henry *Carter* was granted in Montgomery 375 acres in 1785, 68 in 1793, and 130 in 1802, which in 1804 was regranted to Henry *Carter,* Jr. In June, 1796, a Wm. *Carter* had a grant for 413 acres in Montgomery. Though the Land Office records give the name in every instance as *Carter,* the county records give the name as *Carty,* and the descendants are uncertain which it is, though they use that of Carty. The clerk of Montgomery wrote me as follows: "There is no will of Henry *Carter* recorded in this office, and no will of any Carter prior to 1850. I will send you the will of Henry Car*ty,* which I think is the one you want, as a very old citizen tells me he remembers Henry Carter, son of Henry, and he says they were called *Carter.* And the Gibsons, Guerrants, and Charletons are relatives of the man who made the will." Mrs. C. H. King, Dublin, Pulaski county, daughter of Maj. Wm. Gibson Guerrant, and great-great-granddaughter of Henry Carty or Carter, says: "Now the name Carty I have often heard contested. It is my belief

that it was *Carter*. Among the unlearned mountain people a name often changes. I know that Henry Carty (or Carter) had land grants. Further than this I can not tell. I have several times, when in Richmond, tried to find something of these from the Land Office, without success, but suppose I looked for the wrong name, as I was on the track of 'Carty.'" Henry Carty's will, probated in June, 1809, left a large estate in land and negroes to wife Frances, son Henry, grandson William, son of William, dec'd, and five daughters—Millian, wife of Roland Jacobs; Sarah, wife of John Harrison; Nancy, wife of John Charlton; Elizabeth, wife of Wm. Gibson, and Peggy, wife of Jos. Rentfro.

108. JOB[4] CARTER (Peter,[3] Thomas,[2]) lived in Amherst. Will probated December 2, 1782. He left a good estate to "my loving wife" and seven children, as follows: Solomon (had a grant for land in Amherst in 1793); Peter; Dale; Job, Jr., (had a grant for 290 acres in Amherst in 1789); Elizabeth Dawson; Nancy Vaughn; and William, who was the executor.

109. SOLOMON[4] CARTER (Peter,[3] Thomas,[2]) had a grant for 127 acres in 1767 in Albemarle county, but appeared in the census of 1783 in Amherst county as the head of a family of eight and two servants. One son and one daughter were married before this date. His will, probated October, 1786, divided a good estate between his wife Mary Ann and the following children: William, was the head of a family of three in 1783, was a private in infantry in the Revolution; Abraham, was granted 856 acres of land in Amherst between 1788 and 1822; Milla Davis; Peter; Sallie; Elisha; Patty; and Nancy. Brother Peter and son Abraham executors. Personal estate amounted to £155 4s. 0d.

110. PETER[4] CARTER (Peter,[3] Thomas,[2]) had grants of land on Tobacco Row Mt., Amherst county, in 1768 and 1780. In 1783 he was the head of a family of ten and eight servants; and during the Revolution served as a private in the State artillery. Between 1760 and 1770 he was married to Mary Anne Ellis, daughter of Charles and Susannah Harding Ellis, of "Red Hill," Amherst county. His will, probated February 7, 1791, gave to each of his children a negro and seventy-five pounds money. All land and other estate to wife during her widowhood and good



Col. Thomas Carter, 1847.

management. Josiah Ellis and Wm. Crawford executors. Personal estate amounted to £849 1s. 6d. All children but Charles and Jesse under age in 1790. Peter Carter had issue as follows: Charles; Jesse; Peter; Susannah; James; Edward (whose will, probated in Amherst May 21, 1832, left his estate to following grandchildren: Garnet, Granville, Mary, Thomas, Powhatan, and Frances Layne, and Anne Cashwell, wife of James Cashwell); Solomon; Milly; Elizabeth; and John (whose will, probated July 15, 1833, in Amherst, left estate to wife Creasy, and the following children: Mary N., Martha, Jacob D., Shedrach, Wm. C., Elizabeth A., Nancy A., Lucy F., Sarah Anne, Peter D., Verjane, James R., and Caroline M. Carter).

X. THOMAS[4] CARTER (Peter,[3] Thomas,[2]) removed from Fauquier to Rye Cove, Clinch River, in what is now Scott county, in 1773, with his first cousins Dale and John Carter, sons of Charles Carter of Amherst. On March 26, 1774, they all had surveys for land—Thomas for 197 acres in Rye Cove, and on March 31, 1783, he had another survey for 1,420 acres to include his improvements. From 1774 till 1784 he was one of the overseers of the road in Washington county; and when his home fell in the new county of Russell he was a justice of the first court of that county, May 9, 1786, and a lieutenant in the militia. In 1788 he represented Russell in the Constitutional Convention of that year, and is said to have been several times in the Legislature. His will, probated in Russell October 25, 1803, left a third of all estate to wife Elizabeth for life, and after her death the slaves in her portion to go to son Charles, who was to have two-thirds of the remainder of them and other personal estate. The rest of the slaves and personal estate to go to daughter Rosamond Dickenson. Sons John and Morgan, and daughters Phoeby Jones and Sarah Taylor had already had their shares. Grandson Thomas Morgan Carter to have the home place of 1,300 acres. Of the descendants of Thomas Carter I have but little data. John died in 1804, leaving freedom to his servants and the rest of his estate to his sister Sarah. Morgan Carter, who in early life had been captured by the Indians and held in captivity in western New York for eighteen months, died in 1813 intestate with wife Ursula

as administratrix. He is said to have left no issue. Charles Carter may have been the Charles Carter who died in Mason county in 1816 with son Presley executor—Presley being a family name in the family of his uncle Joseph Carter. Rosamond Dickenson is said to have been an ancestress of the late Col. James B. Dickenson, of Scott county.

Thomas Morgan Carter, the grandson, was doubtless a son of an older son of Thomas Carter, who had died prior to his father. He had a wife Matilda, and died about 1828. He is said to have left issue a son William, and probably others.

XX. JOSEPH[4] CARTER (Peter,[3] Thomas,[2]) settled in Rye Cove near his brother Thomas, but apparently not as early, as his first survey was on March 1, 1783 for 200 acres. To this he added 320 acres in 1795, and 200 acres more in 1799. The stone over his grave states that he was seventy-five years of age, so that he must have been born about 1736, as his will was probated in Russell, August 1, 1809. (Entire record from tombstone not furnished me.) He left whole estate to wife Elizabeth for life, after which sons Thomas and Presley to have the home plantation—Presley that part upon which he (Presley) then lived. His slaves were to go to such of his children as were willing to keep them in slavery—evidently some of his children had manumission ideas. Residue of estate to all children equally, none to be charged with what he had given them previously. He had issue as follows:

224. Elijah Carter,
225. Presley Carter,
226. Thomas Carter,
227. Anne Carter,
228. Mima Carter,
229. Judith Carter.

Mr. Joseph H. Carter, who died in 1909 in his ninetieth year, in Scott county, was a son of Presley, and before his death dictated an account of the Carters of Rye Cove to Mr. I. C. Coley, of Gate City, his grandson-in-law, who has kindly furnished me with the data contained therein. Joseph Carter, the emigrant to Rye Cove, was a private in the Revolution before he settled on Clinch River.

XXX. NORRIS[4] CARTER (Peter,[3] Thomas,[2]) was probably the youngest son of Peter Carter, of Fauquier. He settled near his brothers Thomas and Joseph in southwest Virginia, but the date is unknown. In 1793 he had a small grant in Russell county, and in 1805 purchased a part of a large tract on the north side of Clinch that had been granted to his cousin, John Cartre, in 1783. September 23, 1804, Norris Carter and wife Agnes gave a power of attorney to their son, Henry Carter, to collect certain debts from Henry Taylor—all of them of Russell. The frequent appearance of the name Taylor among the descendants of Norris, suggests that his wife may have been Agnes Taylor. His will, probated June 8, 1816, in Scott county, left entire estate to wife Agnes "for her comfortable maintenance during her life," after which son Henry was to have the home part of the plantation, and granddaughter Jemima Carter, eldest daughter of daughter Molly, to have the part "below the Big Branch." Residue to all children equally. They were:

230. Henry,
231. Peter,
232. John,
233. Williamson,
234. Dale,
235. Charles Burr,
236. Molly Carter.

XXXX. GEORGE[4] CARTER (Peter,[3] Thomas,[2]) remained in Fauquier county. His will, probated October 29, 1829, left good estate to seven children. Mentions his children by a second marriage, but does not name them. Personal estate amounted to $1,988.71, and included ten negroes, good furniture, "a parcel of books, a Dictionary, Pamphlets, and Becket Explanatory of the Bible & New Testament." His children were: William, died in 1812; Presley, Martin Everett Carter, Mitty Norris, Anne Grayson, Pamelia Carver, Elizabeth Carter, and George. William Carter's will, probated July 27, 1812, mentions 195 acres of land he had purchased from his father, George Carter, and left his estate to his brothers and sisters as follows: Mitty Norris, £250; Elizabeth Carter, £200; Melia Carter, £200; Anne Grayson, £50;

George Carter, £50; and residue to brothers Presley and Everett Carter.

111. DALE[4] CARTER (Charles,[3] Thomas,[2]), born August 9, 1744, in Stafford county, was killed by Indians on October 6, 1774, near Blackmore's Fort. About 1772 he removed to the Clinch River settlements with his brother John and cousin Thomas, of Fauquier. March 26, 1774, had a survey for 97 acres on Clinch River. Original letters from Major Arthur Campbell to Colonel Wm. Preston (preserved at the Wisconsin Historical Society) give an account of his murder as follows:

"Royal Oak, October 12, 1774.

" * * * Yesterday also I had an Express from Clynch, with the following intelligence. Thursday ye 6th Ins. at Blackmores one Dale Carter was killed and Scalped within 55 Steps of the Fort. Mr. Anderson who had a man with him fired at the Indian as he was Scalping the Man killed, while the other Man shot another Indian. The Indians fired several shots at Anderson and the other, when they fired off the Bastion at them. The Indians had like to done Andersons Job, having struck the stockade a few Inches from his Head. Evidently the indians intentions was to make a bold push to enter the Fort as the People was chiefly all some distance away from the Gate upon Logs, and the Enemy it seems had silently crept along under the Bank of the River completely out of view, until poor Carter discovered them, he immediately commenced hallooing Murder; one Gun fired and missed—another shot him thro the Thigh, but not Mortal, he could not escape as he was too lame (from the shot); one fellow more bold than the rest soon ran up and tomahaked and scalped him,—the remainder of the enemy escaped at the distance of about 100 yards and fired as mentioned before. * * * This unlucky affair happened when there were but few men in the Fort and Capt. Looney happened to be in this settlement & Lieut. Cox has not got out."

Four days later Maj. Campbell wrote: "There was an account came here last Night that a woman & two children were killed or taken near Blackmores since the Murder of Carter. But as it has come thro several hands by way of report I hope it is

not true; as the people in that Quarter suffer of late a kind of Seige and I think Women and children would not be straggling out." I have not been able to get any abstracts from the old Fincastle county records as to the distribution of Dale Carter's property.

117. JOHN[4] CARTER (Charles,[3] Thomas,[2]) on April 1, 1783, had a survey for 172 acres of land lying on north side of Clinch River below the mouth of Cane Creek, and on the same day the county "Com[rs] certify that Jno. Carter is entitled to 400 acres adjoining the mouth of Cane Creek on n. side of Clinch River, 92 of which was surveyed Mar. 26, 1774, by virtue of an order of Council passed 16 Decr 1773 to include his improvements, he having prooved to the Court that he was entitled to the same by actual settlement made in the year 1773." When Russell county was formed John Carter and his brother Charles qualified as deputy sheriffs on May 9, 1786. A year later his entire family was murdered by the Indians, and is mentioned by Summers as follows: "On the 9th day of July 1787 a party of Indians came to the house of John Carter, on the Clinch, and killed his wife and six children, and after plundering the house, placed the dead bodies in the same and burned the whole." His deeds for land show that he married again, but I have not been able to locate his will or any descendants. May 26, 1803, John Carter sold 72 acres of his 1783 grant, to Robert Mitchell. No wife mentioned. February 23, 1805, John Carter and wife Margaret sold 100 acres of this grant to Wm. Taylor; and on the same day they sold another 100 acres to Williamson Carter, son of Norris Carter.

As they do not appear again in the county records, John Carter and wife may have removed from Russell county after this date.

118. CHARLES[4] CARTER (Charles,[3] Thomas,[2]) was living in Washington county in 1781 when his sister, Susannah Carter, devised to him by will three negroes and other property. Two of the negroes were the ones left to her by their father, Charles Carter, of Amherst. May 9, 1786, he qualified as deputy sheriff of Russell county. His home was in the southwestern part of the county, and fell in the bounds of Lee when that county was formed in 1792. He became the first clerk of this county and continued in the office until 1824. From 1793 till 1826 his name

appears frequently in the deed records of this county, but no will can be found. He died in 1828, and was buried in the Carter graveyard in Scott county.

119. WILLIAM[4] CARTER (John,[3] Henry,[2]) married and settled in Prince William county, where his will was probated September 5, 1794. He had the following children: Mary Deacons; Catharine Carter, died unmarried in 1819; Daniel Carter, died in 1839, as shown by inventory of estate; Sarah Lynn; William, Jr.; and John Carter, who died in 1819, as shown by inventory of estate.

One of the sons of William Carter, Sr., had a son Addison B. Carter, as in 1829 he sold 272 acres of land in Prince William, part of which had fallen to him in the division of the estate of his aunt Catherine Carter. Addison was a baptismal name in the Joseph Carter family of Lancaster, the Bronaugh family of Mason, and the Kentucky branch of the Thomas Carter family of Culpeper. Contemporaneous with this William Carter was a William Carter in Prince William of the Giles Carter family.[1]

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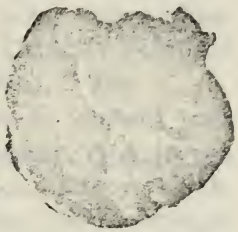
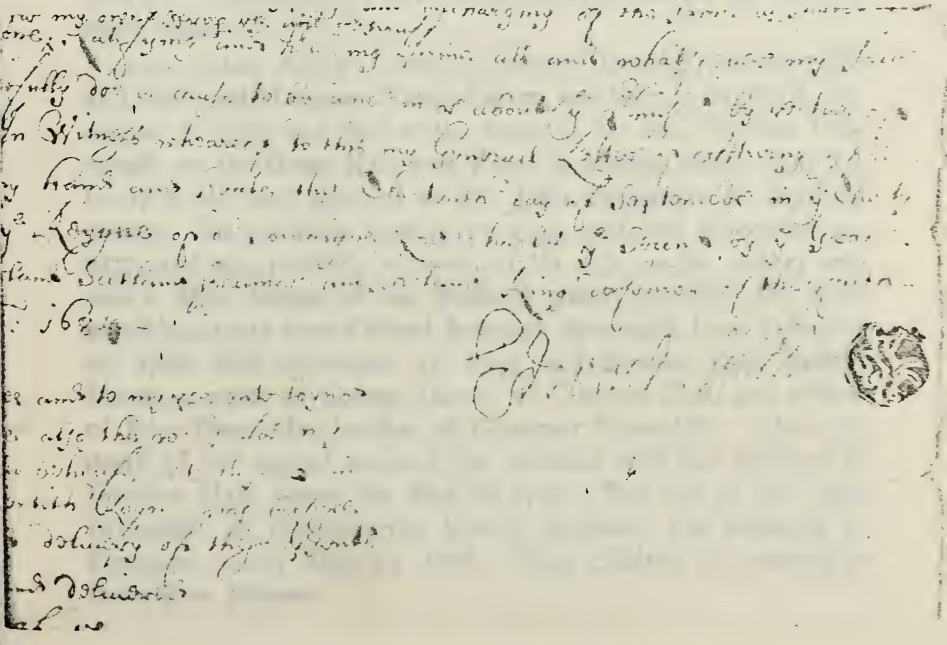
[1] Contemporaneous with Col. John Carter, Col. Edward Carter and Capt. Thomas Carter, of Lancaster, there was a Giles Carter, of Henrico, who was a planter of some prominence. He died in 1701 at the age of 67 years, leaving a wife, Hannah, and children, Susan, wife of Thos. Williamson; Mary, wife of Thomas Davis; and sons, Giles and Theodorick. The latter died in Henrico in 1737, leaving wife, Elizabeth, and children, Theodorick, John and Mary. Sometime after 1750, a Giles Carter settled in Pr. William, and evidently was a member of the above family of Carter. His will prob. Mar. 7, 1785, mentions sons, William, Samuel, David, Robert; and daughters, Sarah Carter, Mary Dunaway, Matt Mitchell and Elizabeth Heald. Wm. Carter, Jr., gave bond as tobacco inspector at Quantico, Feb. 3, 1784, and again in 1799. May 5, 1794, William Carter and wife, Betty, sold to Jas. Smith a plantation called "Pope's Hill," purchased by Wm. in 1790, from his brothers, Samuel and David, to whom it was devised by their father, Giles Carter. Wm. Carter's will was prob. in Pr. Wm. Jan. 14, 1810, and names wife, Betty, and children, Mary Nickerson, John Carter (living in 1830) and Sarah, wife of Henry Fairfax. Henry Fairfax's will, prob. in 1847, names children, Elizabeth, Henry, Mary, Sarah Allen, Jane Botts and the children of daughters, Delia and Harriet, whose surnames are not given.

The inventories of the estates of Samuel and David Carter were recorded in 1820 and 1815.

SARAH FIELDING, BORN MAY 12, 1695.
DAUGHTER OF
EDWARD AND HANNAH FIELDING.



THE HAPSBURG SEAL
OF
THE FIELDINGS OF NEWHAM PADDOX
USED BY
EDWARD FIELDING IN 1684.



SIGNATURE AND SEAL [Engraving retouched]
OF
EDWARD FIELDING, 1684.

120. LUNSFORD[4] CARTER (John,[3] Henry,[2]) had a deed from Birkett and Elenor Davenport, December 21, 1789, for 140 acres of land in Culpeper, which was sold in 1798 by his widow Elizabeth Carter. His inventory was recorded in Culpeper February 20, 1795. No records to show names of children, if any.

132. JOHN[4] CARTER (John,[3] James,[2]), born in Stafford June 1, 1754, died in the same county in 1791. In March, 1792, Joseph Reddish, guardian of Wrenn, Robert Hannah, Nancy, Hugh, and Thomas Carter, "Orphans of John Carter Dec'd," brought suit against William Edmonds, Executor of their grandfather, John Carter, Sr. September 17, 1799, Wrenn Carter, of Prince William county, sold his right to certain personal property, which he that day brought suit to recover from his brother, Thomas Carter, who was not a resident of the State. This was two negroes who were "allotted to the sd Thomas Carter as his proportion of our Dec'd father John Carter's estate subject to the sum of £13 4s. 4d. by the Commissioners appt'd by the Court of Stafford Co. Which sum I have accounted for and pd my father's other legatees."

142. MARY ANNE[4] CARTER (Joseph,[3] Joseph,[2]), eldest child of Joseph and Margaret Mason Carter, was born in Stafford, December 7, 1747, and died at the home of her son, William Bronaugh, on the Great Kanawha River in Mason, about 1820-'25. In 1768 she was married to Dr. John Bronaugh, of Stafford county. He was born January 15, 1743, and died November 24, 1777, and was probably a cousin of his wife, as his mother was also a Miss Mason of the Stafford county family. Dr. Bronaugh's parents were Colonel Jeremiah Bronaugh, born February 25, 1702, died November 11, 1749, and Simpha Rosa Enfield Mason, a sister of George Mason, of Gunston Hall, and widow of John Dinwiddie, brother of Governor Dinwiddie. After the death of her second husband she removed with her children to Gunston Hall, where she died in 1762. The will of Dr. John Bronaugh, of Overwharton Parish, Stafford, was probated in Fauquier county May 25, 1778. Four children are named in the will as follows:

237. Mary Mason Bronaugh, born 1770, married Robert Hereford.

238. Dr. John Bronaugh, Jr., born 1772, married (I) Rosa Bronaugh, by whom he had a daughter Emily, who married John Tyler, of Hickory Grove, Prince William county. He married (II) a Miss Graham.

239. William Bronaugh, born 1774, died 1859, married (I) Maria Fitzhugh; (II) Mary Pope Peyton.

240. Margaret Bronaugh, born 1776, was the second wife of Joseph Hale.

146. JOSEPH[4] CARTER (Joseph,[3] Joseph,[2]), born in 1762, married in June, 1783, Sarah Chilton, who bore him three children and then died. He married second, Frances Everett, who had seven children, all under age in 1815.

He had inherited a fine estate from his father, and by his will, probated in Lancaster December 18, 1815, he left it to his wife Frances Everett Carter, with the request that she educate the seven younger children in as "liberal manner" as he had the three older ones, and after her death it was to go equally to all. Sons Joseph Addison and Warren executors. He had issue as follows: Joseph Addison, Warren, Mary, William, Henry, John, Miller, Robert, Alexander, and Frances.

The will of Mrs. Eliza Chinn Carter, widow of Joseph Addison Carter, was probated in Lancaster November 20, 1843, by her son Addison L. Carter. She left all estate to provide for and educate her three younger children, as the other children had been better provided for in their father's lifetime. Her daughter Eugenia prayed the court for an appeal from the will. Names of other children not shown by the records. The home plantation was called "Nutsworth."

154. JOHN CARTER[4] STARKE (Tabitha,[3] Joseph,[2]), born November 16, 1748, married January 4, 1769, Sarah, daughter of Captain John and Prudence Thornton Inglish, of Stafford. They had issue: Mehethlen, Prudence, Charlotte, Thornton, Jeremiah, Alexander (born 1780), Tomat, Elizabeth, and John Starke (born in 1788).

Alexander Starke, born in Stafford county, Virginia, in 1780, died in Sumner county, Tennessee, in 1862. He married Margaret, daughter of John and Frances Coleman Waters, and had issue: Coleman, John, Henry Carter, Alexander, Mehethlen, Elizabeth, Sarah, Frances, and Margaret.

John Starke, born in Stafford in 1788, died in Sumner county in 1862. He married Margaret, daughter of Captain John Prim, a soldier at Yorktown in 1781, etc. They had issue: Elizabeth, Lydia, Joseph Carter, Sarah Anne, Malvina, John Prim, and Catharine.

FIFTH AND LATER GENERATIONS.

160. LUCY[5] CARTER (No. 46. Edward[4]) married, May 19, 1768, James Kirke, and died prior to 1783, leaving issue: Mary Kirke, who married Wm. Digges, September 11, 1788; Catharine Kirke, who married Charles Brent in December, 1791; and James Kirke, Jr., under age in 1783.

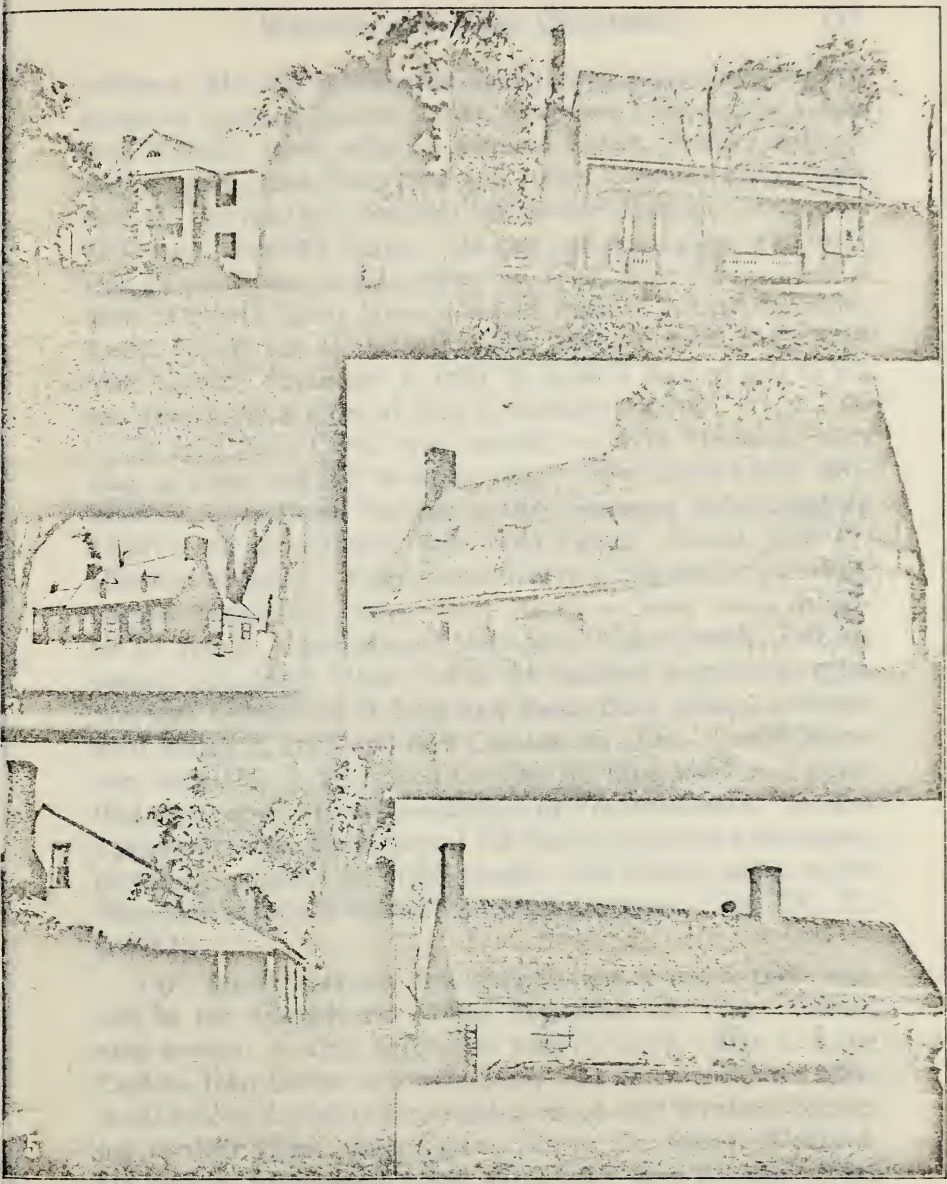
Regarding the descendants of Captain John Carter, Sr., of Spotsylvania, and his two wives (Miss Armistead, of Caroline, and Hannah Chew, daughter of Captain John and Margaret Beverley Chew, of Spotsylvania, and granddaughter of Captain Harry Beverley), his great-granddaughter by the second marriage, Mrs. J. N .Hook, Clemsen College, S. C., has supplied interesting data from ald letters and an account of the family prepared about 1845 by a grandson of Captain Carter—Hon. Norborne E. Sutton, of Caroline.

Captain Carter's home was near the Spotsylvania-Caroline line about sixteen miles west of Bowling Green. It is said to have been a large brick house, and that he lived there in considerable style. In the division of the property after his death the house and 142 acres of the home plantation fell to the share of Mrs. Margaret Chew Talliaferro, who was the only one of his children who removed from Virginia. Her sister, Mrs. Burton Talliaferro, however rented it instead of building on her own portion. The old mansion was burned in 1825, and the bricks sold later for other purposes. Major Benjamin Alsop, writing in 1827 to Mr. Zachariah Talliaferro, says: "Your place is truly unlucky

after the mansion house was burnt, Mrs. Lucy Talliaferro repaired the Overseers house and liv[d] in that and a few days before last Christmas it took fire and was burnt down. She is still living on the land near where the old house stood, has put a Chimney to the Carriage house & is living in that in a Very uncomfortable manner." He continues, "Mrs. Talliaferro talks very Much of Coming to your Country as soon as she gets her Matters rounded up." "We have had a very Cold Winter the coldest we have had for many years and at this time (March, 1827,) our roads are almost impassible."

In November, 1829, he writes: "Horace Marshall is broke and sold out. Was in Philadelphia the last I heard of him." (He was Captain Carter's grandson.) "Mrs. Mary B. Stevens has become very poore. She is living with her son Lewis at present. Lucy Stevins is with Mrs. L. Taliaferro." * * * "Capt. Stanard is still here, but in bad health." In January, 1830, he wrote: "With respect to your Old Acquaintances I will Endeavor to give you some Account. Larkin Stanard is still living—he has a sore leg, which keeps him Confin[d]. Henry C. Coleman is living in Caroline, Wm. & Zach. T. Wilson has been dead several years, the children of Wm. Taliaferro are all living but the oldest son Walker he has been dead sometime; the daughters all Married. Some doing pretty well & some badly. One of the daughters is dead and left 2 or 3 children. Your old friend James Carter is still living and well the last I heard of him. Capt. Jones & his wife are dead & the land sold and the children Squandered off. Col°. Coleman's widow & her Children has moved to Kentucky, we have lately heard her oldest Son is dead. So goes the World some Coming in Others Going Out." Other letters show that Mrs. Hannah Carter died in 1821, leaving a personal estate valued at about $7,000.00; and that her son Robert and daughter Elizabeth died prior to 1827 unmarried.

166. WILLIAM[5] CARTER (No. 49. John[4]) married Frances Curtis, daughter of Rice Curtis, Sr., "Gent." of Spotsylvania, prior to November 20, 1761, as on that date he had a deed from Rice Curtis, Jr., that shows this marriage. Wm. Carter appeared in a list of Spotsylvania slave owners in 1783 as owner of ten



1. "Oakland," Pittsylvania Co., Jesse Carter, 1783.
2. "Greenrock," Pittsylvania Co., Thomas Carter, 1784.
3. "Broadfield," Spotsylvania Co., James Davis, 1740.
4. Said to be old Thomas Carter Home, Lancaster Co. Probably is the remains of "Corotoman."
5. Rear view of "Greenrock" House.
6. Said to be old servants quarters of Joseph Carter, Gent., Lancaster, Va.

servants. His will, probated in Spotsylvania November 26, 1802, mentions his wife Frances Carter, daughters Lucy Aylett, Elizabeth Belinda, Sarah wife of Edmund Foster, Frances wife of Rice Connor; sons Rice, John and John's daughter Polly, Guilford D., Kenyon, and Abraham; stepmother Hannah Carter; and half sister Elizabeth Carter. He also had a daughter who married James Hume, as September 15, 1794, Wm. Carter made a deed of gift to James Hume for four negroes in trust for Wm. Lewis Hume, son of the said James and grandson of the said Wm. Carter. September 1, 1789, he made a deed of gift to his son John for 216 acres of land in Berkeley Parish.

In 1788 John Carter was married to Mary Herndon, born May 4, 1770, and still living in 1834. John Carter's will, probated in Spotsylvania October 2, 1815, mentions wife, daughter "Polly" and sons Joseph, John, and James. Friend John W. Herndon executor. Polly Carter married, September 24, 1830, Captain Thomas M. Horn. Mary Herndon Carter was a daughter of Joseph Herndon, of "Mattaponi," Spotsylvania, and his second wife Mary Minor, whom he married August 15, 1765. She was a daughter of John and Sarah Scott Minor, and was born March 7, 1741, and died October 26, 1822. Joseph Herndon, born May 1, 1737, died October 28, 1810, lived on a beautiful estate about six miles southeast of Fredericksburg. He was a graduate of the University of Edinburgh, and took a prominent part in the political life of his county. For further notice of the Herndons see the *Virginia Historical Magazine,* Vols. IX., X., and XI.

167. JOHN[5] CARTER (49. John[4]) was commissioned captain in the Spotsylvania Militia September 18, 1777. Owned nine servants in 1783 before his father's death. May 1, 1794, Captain John Carter and wife Mary and sister Margaret Marshall, widow ,deeded twenty-eight acres of land formerly belonging to their father, John Carter, Sr., to Dr. Robert Wellford. He died in Spotsylvania about 1812, but I have no copy of his will.

168. FRANCES[5] CARTER (49. John) married Rice Curtis, III., a son of Rice Curtis, Jr. (will probated 1774), who was a son of

Rice Curtis, Sr. (will probated 1753), and his wife Elizabeth. August 27, 1779, Rice Curtis made a deed to his children named as follows: Nancy, John, Elizabeth, Mary, Frances Margaret, George Bartemeus, and James. Mentions wife Frances Carter Curtis. No further data.

170. ANNE[5] CARTER (49. John) married Wm. Heslop and had a son Horace, and possibly other children.

172. SARAH[5] CARTER (49. John) married William Sutton, of Caroline county, and had the following issue:

1. Bettie, married a Mr. Chapman, and had issue—James, Reuben, Robert, Martha, and Lucy.

2. Sarah Darly Sutton, married Robert Lewis, son of Dr. John Lewis, of Spotsylvania, and brother of Waller, and Drs. John, Jr., and Zachariah Lewis, and had issue—Cadwalader, Sarah married Armistead O. Sutton, and Jane married Augustus Grymes.

3. John Carter Sutton, of "Pine Forest," on the Mattaponi. He was married twice. First, to his first cousin, Maria Chew Sutton, who left one son, John Oliver Sutton; second, Elizabeth Page Pendleton, only child of Edmund Pendleton, of "Edmundton," and his first wife Jane Burwell Page, daughter of John Byrd Page, whom he married in 1794. This Edmund Pendleton was a favorite grandnephew of Judge Edmund Pendleton, and was a son of Edmund Pendleton, of "White Plains," Caroline county, and his wife Mildred Pollard. Edmund Pendleton, Sr., was the eldest son of Hon. John Pendleton, and greatgrandson of Philip Pendleton, Gentleman, who came to Virginia about 1674. For further data of the Pendletons see Green's reprint of *Slaughter's History of St. Mark's Parish*. John C. and Elizabeth P. Sutton had issue—Edmund Pendleton, William Carter, Hugh Carter, Norborne E., John Carter, Robert W., Patrick H., Sarah Jane, Lucy Carter, Anne Lewis, and Betty Burwell.

4. Norborne E. Sutton, an attorney-at-law. In 1834 was postmaster at Bowling Green, and in 1845 was a member of the Virginia Senate. He married Dorothea Washington, born in 1809, died in 1844. Late in life N. E. Sutton removed to Texas, where

he died. About 1845 he prepared a brief account of the descendants of his greatgrandfather, John Carter, in some of the branches of the family, from which the data here given is mainly taken. He mentioned no children of his own. He stated that his greatgrandfather, John Carter, was an officer in the Revolution, and gave it on the authority of family tradition and the word of an officer who told him that he had served with him.

5. Lucy Sutton, married Benjamin Marshall.

173. MARY BEVERLEY[5] CARTER (49. John) married Captain Richard Stevens, of Spotsylvania, and had issue—Lucy, Lewis, Robert, Hiram, Richard, Horace, Polly, and Judith. All married but the two younger sons, but I have no data of their descendants.

174. MARGARET CHEW[5] CARTER (49. John), born January 14, 1771, in Spotsylvania, Virginia, died May 19, 1822, at her home, "Mt. Jolly," three miles from Pendleton, South Carolina. July 31, 1802, she was married to Zachariah Taliaferro, an old bachelor lawyer of South Carolina. He was born in Caroline county, Va., April 28, 1759, and died in South Carolina April 14, 1831. He was a son of Zachariah Taliaferro, Sr., and his wife Mary Boutwell, who removed from Caroline county to Amherst about 1770, where he owned large tracts of land. In 1775-'76 he was a member of the Amherst Committee of Safety, and it is said was a soldier n the Revolution. Zachariah, Jr., was a soldier in the Revolution, and after the war studied law and removed in 1786 to Pendleton District, South Carolina, where he was a prominent planter and lawyer for the rest of his life. He has been described as "a man six feet tall, weighing over two hundred pounds, blue eyes, black hair, and face clean shaven. He was a man of good understanding, equable temper, liberal to the poor, and a most humane master." One summer, when about the age of forty, he was visiting relatives in Virginia, and when preparing to return to South Carolina, was persuaded by a friend to remain a day longer and attend a ball at Fredericksburg the next night. That night he dreamed that he attended the ball, and on entering the room he saw a beautiful young lady standing at

the head of the room tying her slipper. The night of the ball, as he entered the room his vision was singularly verified. Remembering his dream, he sought an introduction, and later the young lady—Margaret Chew Carter—became his bride.

The Taliaferro arms, as used by this gentleman, are described as: "A hand and arm holding a dagger cutting a bar of iron. The motto, *Fortis et firmis.*" Zachariah and Margaret Chew Carter Taliaferro had issue: Sarah Anne, born June 2, 1803, died August 12, 1888; Lucy Hannah, born May 5, 1806, died August 17, 1875; Mary Margaret, born May 5, 1808, died June 4, 1896; Caroline Virginia, born November 5, 1811, died May 14, 1877; John Zachariah, born November 22, 1810, died in infancy; and Zachariah, born November 5, 1813, died in childhood.

Sarah Anne Taliaferro married, March 20, 1823, Dr. O. R. Broyles, of "Ashtabula," Pendleton, S. C. They had issue: I. Augustus Taliaferro Broyles, born 1824, died 1904. He was a graduate of South Carolina College, a lawyer, and a captain in the Confederate army. II. Charles Edward, was also a lawyer, a colonel of a Georgia regiment in the Confederate army, and a member of the Georgia Legislature. He married Lucy Johnson, and had issue—1, Laura, married Dr. Mlagne Boyd; 2, Sarah, married Dr. Arthur Boyd; 3, Charles, Jr.; 4, Frank; 5, Robert; and 6, Price. III. William Henry, who was a private in the Confederate army, married Rebecca Taliaferro and settled in Alabama. IV. Margaret, married Dr. Sam. Van Wyeth, of New York City, and had issue—1, William, d. s. p.; 2, Samuel M., married Nierce Harrison, and had Maraich, Margaret May, Dolly, and Sally Anne; 3, Oze Broyles, married Elizabeth Keith, and had Lydia, married John Shuford; Overman settled in Texas; O. B., Jr., and Elizabeth. V. Robert, private in C. S. A., married Ella Keith, of Charleston, S. C., and had Roberta, Avena, Sarah, Ferro, and Robert—none of whom married. VI. Sarah married Wm. D. Williams, of Tennessee, and had issue—Alexander, Wm. D., Jr., Lucien, John, Margaret, and Marie—none of whom married. VII. Thomas, C. S. A., married (1) Mary Raeney and settled in Tennessee; (2) Bettie Harrison, of South Carolina. VIII. John Pendleton, C. S. A., married Bettie Hubbard.

Lucy Hannah Taliaferro married, in September, 1826, Col. David Sloan Taylor, a wealthy planter of Anderson county, South Carolina. He was born in 1806, and died of apoplexy March 20, 1867. They had issue: I. Zachariah, C. S. A., married Mary Meriwether, and had issue—1, Mary Rosa, married Dr. Ampert; 2, Zachariah, Jr,; 3, David; 4, William; 5, James; and 6, Gertrude, married Price M. Benson. II. Rosa married Dr. D. D. Bacot, a descendant of one of the oldest and most prominent families of South Carolina. He was graduated from the Franklin College at Atlanta, Ga., in 1846, and of the Charleston Medical College in 1848. A member of the Phi Kappa Society, and an officer in the old Bank of Charleston. He practiced medicine at Orangeburg, S. C., and later in Piedmont. Died in Pendleton in 1862. They had issue—1, D. Taylor, married Florence Norton, and had Norborne, Florence married a Mr. Reed of Virginia, George, and Rachel married Campbell Simons another of the most prominent families of South Carolina; 2, Laura, married Paul Jenkins, and had Ada married John Simons, brother of Campbell, Paul, Daniel, and Rosamond; 3, Zach., d. s. p.; 4, Taliaferro, d. s. p. III. Joseph Taylor, C. S. A., married Ellen King, of Charleston, and had issue—1, Eleneta, married Wm. H. Heyward; 2, Lucia, married Moultrie Clement; 3, Pauline; 4, Taliaferro; and 5, Hugh; all of Charleston. IV. Lucy married Edward R. Belcher, and had Robert, married a Miss Ligon. V. Susan married Edward L. Parker, of Charleston, and had Sue, who married Cuthbert Fripps, and had Edward Parker and Marion. VI. Samuel died in the Confederate army at the age of nineteen. VII. David, C. S .A., married Bessie Rucker, and had issue—1, John Ligon; 2, Lucia, married Mr. Hudgins; 3, Eubank; 4, Rucker; and 5, Frank. VIII. William, d. s. p. IX. Meriwether married Mary DeSanssure Bacot, born December, 1848, daughter of Richard Hutson and Mary Louise Cuthbert Bacot. Her father was a graduate of West Point, and after serving several years in the army, resigned and retired to a large plantation near Beaufort, S. C. They had issue—Ernest, DeSanssure, and Louise. X. Carter, d. s. p. XI. Edward W. married Anne Cuthbert Bacot, born in September, 1858, a sister of

Meriwether Taylor's wife. They had issue—David, who married Pauline Newall, of Georgia.

Mary Margaret Taliaferro married, December 27, 1836, Maj. R. F. Simpson, of Laurens county, South Carolina. He was born in 1798, and died at the old Taliaferro home near Pendleton, October 29, 1882. He was a major in the Seminole War, 1835-'42; a member of both houses of the South Carolina Legislature at various times; a member of Congress in 1845 and other years; a member of the South Carolina Secession Convention, and at another time was a candidate for Governor of South Carolina, when the Governors of that State were elected by the Legislature. He lost it by *one vote*. He was a graduate of the South Carolina College, and a planter. They had issue: I, Taliaferro, killed in the Confederate army at Chicamauga. II. Richard W., a private in the Confederate army, a lawyer, and a member of the famous "Wallace House" that redeemed South Carolina from negro rule in 1876. For many years Col. Simpson was chairman of the Board of Trustees of Clemsen College, South Carolina. He married Maria Garlington, and had issue—1, Margaret, married Dr. W. W. Watkins; 2, Susan, married P. H. E. Sloan, and had Paul, Louise, Ella, Jean, Lela, Margaret, Mary R., and Susan; 3, Louis; 4, Anne, married A. G. Holmes, and had Alester and Louise; 5, Connie, married Prof. S. M. Martin, and had Mauer, Richard, and Ben; 6, Jennie, married A. W. Klugh, and had Williston and Louise; 7, Richard; 8, John, married Lucy Jones, and had John Garlington; and 9, Taliaferro, married C. Bradfield, and had Taliaferro, Jr. III. Mary Simpson, married Thomas L. Williams, of Tennessee. IV. Anne T., died young. V. John G., died young.

Caroline Virginia Taliaferro married, May 1, 1844, Dr. H. G. Miller, of Abbeville county, South Carolina. He was born in 1820, and died March 21, 1899, at his home, "Vallambrosia," near Pendleton, South Carolina. They had issue: I. Harry C., killed in battle at Strasburg, Va., August 2, 1863, aged twenty-four years. II. Resica Elizabeth, married John N. Hook, of Clemsen College, South Carolina; no issue. III. Caroline, married Wm. W. Simons. IV. Wm. George, married Edith E. Walker, and had issue—1, Harry, married Lillian Hallwood, and

had Dorothea, Harry and Ben; 2, Percy, married Marian Marston, and had a son Marston; 3, Maud; 4, Mattie, married Harry Scharfe, and had Harry and Martha; 5, Edith; 6, Beatrice; 7, Campbell; 8, Sue Pickens; and 9, Caroline, married E. H. Morton, and had Harry and Ben. V. Taliaferro Millier, no issue.

175. JUDITH[5] CARTER (49. John), born in 1773, died in 1827 in Caroline county. She married Joseph Sutton, a Caroline farmer, and had issue:

I. Maria Chew, who married her cousin, John Carter Sutton, of "Pine Forest," on the Mattaponi, and died leaving one son, John Oliver.

II. Dr .Stephen Sutton, who married Eliza Oliver, and had issue—1, Armistead O. Sutton, who married his cousin, Sarah Lewis; 2, David, married a Miss Noland; 3, Pulaski, d. s. p.; 4, Elvira; 5, Stephen, d. s. p.; 6, Mary Eliza.

III. Robert Carter Sutton, married Catharine Washington, and had issue—1, John Orsville, married Martha Chapman, and had Charles, Logan, James, Maria Chew, and Judith; 2, Susan; 3, Maria; 4, Judith Anne, married a Mr. Shepperd; 5, Henry; 6, Robert; 7, Oscar; 8, Edward.

177. LUCY[5] CARTER (49. John), born in 1775, died in 1831 "of a fit." She was the second wife of Burton Taliaferro, and had no issue.

RECORDS FROM THE FAMILY BIBLE OF RICHARD CHAPMAN, JR., OF NEW KENT COUNTY, VA.

Communicated by MRS. CALVIN PERKINS, Memphis, Tenn.

Richard Chapman, son of Richard Chapman and his wife, Jane Johnson, was born at "Chericoke, King William Co., Va., Sept., 1741.

Elizabeth Reynolds was born at "The Island," in New Kent, Febry. 18th, 1757.

Elizabeth Reynolds and Richard Chapman were married by the Rev. Mr. Ford, Sunday, April 16th, 1775.

Jane Chapman, their daughter, was born at "Prior Park" Thursday, February 29th, 1776.

Reynolds Chapman, her brother, was born at "Prior Park" Wednesday, July 22, 1778.

Johnson Chapman, their brother, was born at "Prior Park" Tuesday, December 26th, 1780, died aged four years.

(Signed) RICHARD CHAPMAN,
Feb. 26th, 1781.

Richard Chapman departed this life 10th December, 1789, in the 48th year of his age, about half an hour before day.

Susannah Mosson Chapman departed this life on Saturday, 23rd of May, 1789, about 10 o'clock in the morning, in the 4th year of her age.

Jane Chapman, the above daughter of Richard Chapman and his wife, Elizabeth Reynolds, married Thursday, Oct. 30th, 1794, Nathaniel W. Price, of Hanover Co.

Jane Price, the above daughter of Richard Chapman, departed this life 26th of March, 1796, at night, eleven days after being delivered of twin daughters, still living; one named Jane Chapman Price, the other Susannah Smith Price.

Departed this life on Wednesday, June 8th, 1797, Susannah Smith Price, the youngest twin daughter of Nathaniel W. Price and his deceased wife, Jane Chapman, aged one year, two months and twenty-two days; also departed this life on Monday, the second day of July, 1797, Jane Chapman Price, the eldest twin of the above, aged one year, three months and eighteen days.

Richard Meriwether Chapman was born the 4th day of December, 1789, just six days before the death of his father, Richard Chapman.

Nathaniel W. Price was married to Elizabeth Garland Smith the 22 June, 1797.

George Green, the husband of Elizabeth (widow of Richard Chapman), departed this life 27 of March, 1798.

David Mossom and Mary, the widow of Henry Claiborne (maiden name Major) were married July 20th, 1740.

Mary, daughter of David and Mary Mossom, was born September 6, baptized October 1, 1741.

Robert Mossom, son of David and Mary Mossom, was born May 13, baptized June 15, died Dec. 17, 1744.

Mary Mossom died Nov. 23, 1745.

David Mossom and Elizabeth (widow of Benskin Marston, daughter of Henry Soane) were married July 6, 1755. She died April 2, 1759.

The Rev. David Mossom, my dear father, died June 4th, 1767, aged 78 years.

James Curtis, my dear husband, died March 13, 1767, aged 28 years.

The above entries were made by Mary Mossom, first Mrs. James Curtis; second, Mrs. Richard Chapman.

Memoranda by Johnson Chapman from James Curtis' letters:

Grandfather Richard Chapman married first the widow Curtis (Mary, daughter of Rev. David Mossom) and afterwards Elizabeth Reynolds, daughter of Captain Reynolds and his wife, Elizabeth, daughter of Rev. David Mossom, and niece of the widow Curtis.

Richard Chapman had one sister, Jane Chapman, who married Mr. Johnson.

Extracts continued.

My sister's son, John Boswell Johnson, was born September 14th, 1771; moved to Tennessee, and had three children:

1. Dr. Thomas Johnson, of Richmond City, Va., who married and had Maria, now Mrs. Breckinridge, of Staunton; Chapman Johnson, who married Mary Ann Nicholson, of Richmond; Margaret Johnson, who married Mr. Stuart, of Staunton.

2. Richard Chapman Johnson was born October 26, 1772; died without issue.

Their sister, Dorothy Johnson, was born Sept. 4, 1774; she married Patrick Michie and had numerous children.

Their brother, Thomas Meriwether Johnson, was born Feb. 16, 1777. He moved to Kentucky and had a family.

Chapman Johnson was born on Monday, March 15, 1779, about 12 o'clock. He married Mary Anne Nicholson, the niece of Major Carter Page, of the Revolution, also of Dr. Charles Copeland, of Richmond. They had issue:

George Nicholson Johnson; William Boswell; Mary Ann (Mrs. Gifford); Carter Johnson (who was lost at sea), of the U. S. Navy. He married Ann French Forrest.

Their brother, William Johnson, was born Sept. 26, 1781, and died without issue.

(Signed) RICHARD CHAPMAN,

Hanover, Friday, 22 Nov., 1782.

For this Johnson family see *Peyton's History of Augusta County, Virginia.*

The above data was found in the effects of Johnson Chapman, the son of Richard Meriwether Chapman and his wife, Maria Verdier, of Orange county, Va., and sent to me by one of his sons, Johnson Chapman, Jr.. When a young man, Johnson Chapman left Orange and located in Lake Village, Chicot county, Arkansas. He married Elizabeth, the daughter of Mr. Benjamin Gaines, one of the wealthy Arkansas planters of ante bellum days. One of his sons is Johnson Chapman, clerk of the court in Chicot; another is Benjamin Gaines Chapman, a wealthy citizen of St. Louis, Mo.; two daughters married Sims' of Chicot. Chapman Johnson, Sr., was a very prominent lawyer and planter.

The first of the name in Virginia was Richard Chapman of an English famliy (the son of a Lord Mayor of London) who was in Virginia some years prior to 1740, as in May, 1740, he purchased from Ann (Meriwether) Johnson (the widow of Captain Thomas Johnson) the Johnson estate of "Chericoke," in King William county. Thomas Johnson was the son of Colonel Richard Johnson, of Lincolnshire, England, who was a member of the Virginia Council at the time of his death in 1699.

Soon after coming to the colony, Richard Chapman was given the post under Government (clerk of the court), and in December, 1740 he married Jane Johnson, the daughter of Captain Thomas Johnson and his wife, Anne, seventh child of Col. Nicholas Meriwether. For the purchase of "Chericoke," in May, 1740, see *Henning's Statutes.* See also the Letter-Book of Richard Chapman, now in the possession of his great-great-granddaughter, Mrs. Calvin Perkins, of Memphis, Tenn.

Richard Chapman had a brother, John Chapman, who was a wealthy tobacconist of London; another brother, William Chapman, came to Virginia, but returned shortly to England. They had a sister, Judith Chapman, who married Sir Maurice Throckmorton, of England.

Richard and Jane (Johnson) Chapman had two children, a son Richard and a daughter Jane, who married Mr. Johnson.

By his second wife, Elizabeth Reynolds, Richard Chapman, Jr., had two daughters and three sons:

Jane Chapman, who married Nathaniel W. Price; she left two daughters (twins), who died in infancy.

Reynolds Chapman, who removed with his brother, Richard Meriwether Chapman, and his mother, Mrs. Green (first the widow of Richard Chapman, then of George Green), to Orange county, Va., where he succeeded Col. Frank Taylor as clerk of the court. He built a home just outside of the town of Orange, called "Berry Hill," where he lies buried in the garden, He married Rebecca Conway, the daughter of General William and Frances (Throckmorton) Madison, and granddaughter of Ambrose and Frances Taylor Madison. Reynolds Chapman and his wife, Rebecca C. Madison, had issue:

1. William Madison Chapman, died unmarried.

2. Jane Chapman married Dr. Thomas Towles Slaughter, and left seven sons; all served in the war of the sixties with honor.

3. John Madison Chapman, Judge of the 11th Judicial district of Virginia, after the war, married Susan D. Cole, daughter of William Cole and his wife, Frances Alexander, of "Effingham," Prince William county, Va. (son of William Cole and Susannah Digges, daughter of Major William Digges and his wife, Frances Robinson; son of Hon. Cole Diggs and his wife, Elizabeth Power; son of Dudley Digges and his wife, Susannah Cole; son of Governor Edward Digges and his wife, Elizabeth Page).

John Madison Chapman and his wife, Susan D. Cole, had issue:

1. Mary Ella, married her cousin, Dr. Nathaniel Chapman, of Charles county, Md.

2. Emma Chapman, married first Captain Robert V. Boykin, of Norfolk, Va.; three children; secondly, Samuel Culver, of Chicago.

3. Constance, twin sister of Emma, died in infancy.

4. Susie Ashton, married Calvin Perkins, a lawyer now practicing in Memphis, Tenn.

5. Sallie Alexander, unmarried.

6. Jane Slaughter, died aged twelve.

7. John Madison, Jr., died in infancy.

8. John Madison, also died in infancy.

9. Belle, wife of Wliliam Moncure.

10. Cora, died aged sixteen.

11. Ashton Alexander, married Nannie Eaton, daughter of Col. Roger Gregory, of Oxford, North Carolina; no issue.

HISTORICAL AND GENEALOGICAL NOTES.

POLITICAL ECONOMY. James Madison, President of William and Mary College, was the first in the United States to teach Political Economy. This we are told by Bishop Meade and Dr. William B. Rogers (QUARTERLY, VI., 182; XIV., 78). Mr. R. A. Brock, of Richmond, Virginia, has the second and third volumes of Smith's *Wealth of Nations*, bearing the imprint "Philadelphia, 1796," and which belonged to Bishop Madison, William Ludwell Lee, and in 1813 to William H. Roane (QUARTERLY, IX., 61). Both Lee and Roane, who was a United States Senator, were students of the College. Mr. W. G. Stanard, of Richmond, has in his library an old edition of Adam Smith's work with the autograph of "Robert Stanard, William and Mary College, 1798," on the fly leaf (QUARTERLY VI., 181).

Robert Stanard became a distinguished jurist. In the correspondence of Andrew Reid, Jr., of Lexington, who was a student at William and Mary in 1806, were found "43 pages of questions on Smith's *Wealth of Nations* propounded by Bishop Madison." (QUARTERLY, VIII., 213.) Smith's *Wealth of Na-*

tions, with A. Reid, Jr.'s autograph, two volumes bound in full calf, is in the Library of Washington and Lee University at Lexington, Virginia. (QUARTERLY, VIII., 213.) In October, 1806, this work was sent to Reid at Williamsburg. (QUARTERLY, IX., 220.)

In the published rules of the College in 1817 Smith's book is mentioned among the text-books. We have the Faculty records beginning with 1817 and the subject appears to have been taught without interruption after that time. It appears then that the subject was introduced into the curriculum not later than 1796. In 1788 Mr. Jefferson wrote of Mr. Madison, who was a cousin of the great President of the United States of the same name, "that he was a man of great abilities."

THE ELECTIVE PRINCIPLE. The priority of William and Mary in this particular has been fully established (QUARTERLY, VI., 184; XIV., 78), but the following from a letter of President James Madison to President Stiles of Yale College, dated August 27, 1780, when the re-organization in 1779 was recent, affords interesting contemporary evidence of the first introduction: "The doors of ye University (William and Mary College) are open to all nor is even a knowledge in ye ant. Languages a previous Requsite for Entrance. The Students have ye Liberty of attending whom they please, and in what order they please, or all ye diffr.Lectures in a term if they think proper. The time of taking Degrees was formerly ye same as in Cambridge, but now depends upon ye qualifications of ye candidate. He has a certain course pointed out for his first Degree and also for ye rest. When master of either ye Degree is conferred."

"It is this fact," said Dr. Louis Franklin Snow, "that makes memorable the administration of President James Madison and lifts William and Mary College into a position of first-rate importance. Coupled with this reform the formal introduction (in 1779) of professorships of Law and Police, Anatomy and Medicine, Natural Philosophy and Mathematics, Moral Philosophy, and, on an equal footing, the Modern Languages provided the institution with a curriculum broader than that of any of its contemporaries and the absolute freedom made its course of study

unique. The colonial period of our College history closes with the institution of these changes. We have watched the progress of the curriculum from its narrow beginnings in Cambridge (at Harvard College) until it emerges into full freedom at Williamsburg." *The College Curriculum in the United States.* By Louis Franklin Snow. Published by Teachers' College, Columbia University, New York.

UNITED STATES NAVY. Augustine Slaughter, of Norfolk County, in his will dated November 23, 1814, left $3,000 to the mayor and aldermen of the Borough of Norfolk for the support of three emancipated negro slaves, and after their death the interest on the amount to be employed "in educating one or two poor boys in reading, writing and arithmetic and the elements of navigation," who were afterwards to be bound to the commander of one of our vessels of war or some discreet master of a merchant vessel "as it is my express will and intention that the said $3,000 shall be a perpetual fund for the purposes above mentioned," and "consider it my mite towards fostering our infant navy." He names his brother Robert Slaughter, of Culpeper, and John Fields Slaughter of Georgia, who married a daughter of the said Robert.

HOLT'S LAW LIBRARY. In his will, dated March 24, 1779, recorded in Norfolk County, Sept. 28, 1799: "James Holt, son of Thomas Holt, formerly of Hog Island in the County of Surry in Virginia, at present of the County of Norfolk, attorney at Law," besides other bequests, made one of all his law books to the mayor, recorder, aldermen and common council of Norfolk" in trust for the Court of the County of Norfolk and the gentlemen lawyers practicing in the said court" and "desired a case to hold them may be provided at the expense to my estate and that they be lodged in the clerk's office of said county and not lent out to any person." He names his wife Ann and his brother Henry Holt and the latter's children—Claremond, Leander, Sarah and Thomas. His niece Claremond not to receive any of his estate "if she married a Scotchman."

SCOTCH TUTORS. In his LETTER BOOK, now in the Lenox Library, New York, William Beverley writes as follows to his merchant in London Micajah Perry, Esq.: "Virginia, July ye 8th., 1741, Sir, If possible I desire you will send me by Wilcox a schoolmaster to teach my children to read & write & cipher. I would willingly have such a person as Mr. Lock describes, but can't expect on such wages as I can afford, but desire being a modest, sober, discreet person; his wages I leave to your discretion, the usual wages here for a Latin master from Scotland is £20 a year, but they commonly teach the children the Scotch dialect which they never can wear off. Your favor in this affair will very much oblige him who is, Sr. yours, &c."

JOHN CARTER, SECRETARY OF STATE. "August 19, 1742. Our Secretary departed this life July 31 & the chief talk here is about who will succeed him & as Col. F(airfa)x is here ready for yt office I cannot expect or desire yr Lpp interest for me. Colo. John Robinson is appted here till a como. comes from England." *William Beverley to Ld Fairfax, Leeds Castle in Kent.* (Beverley Letter Book.)

COMMISSARY JAMES BLAIR. "Williamsburg, April 20, 1743, Mr. Commissary Blair, one of his majtys. councillors here departed this life on Monday last, hope your Ldp. will get Mr. F(airfa)x in his place"; wishes to take up 10,000 acres with Mr. Richard Barnes and raise horses and cattle. *William Beverley to the Rt Hoble Thos. Ld Fairfax at Leeds Castle* (Beverley Letter Book).

QUERIES: Who were the parents of Robert S. Valliant and of Martha Herlock, who married in Dochester Co., Mr., June 15, 1794; who were the parents of David Putney, who married Mary C., daughter of Nathaniel Wyche in Sussex Co., Virginia, about 1780; who were the parents of Elizabeth Crumpler, who married Theophilus Autry in Sampson Co., N. C., in 1790; who were the parents of Cornelius Autry, who lived in Edgecombe County, N. C., in 1770, and to whom was he married? *James L. Autry,* Drawer 809, Houston, Texas.

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CONTENTS.

1. THE MEDICAL MEN OF VIRGINIA,..... 145-163
2. MABINOGION OF THE WEST, ... 163-165
3. LETTER OF JOHN KENNON,..... 165-168
4. CAROLINE COUNTY SURVEY BOOK,..... 168-174
5. AMELIA COUNTY MARRIAGE BONDS,..... 174-177
   (1735-1755)
6. SOME VIRGINIA FAMILIES—MOORE, BERNARD, TODD, SPOTSWOOD, ETC.,..... 177-184
7. CARTER GENEALOGY,..... 184-194
8. LANGLEY FAMILY, ... 194-199
9. LUDWELL FAMILY, ... 199-214
10. GENEALOGY OF THE WALKERS,..... 214-215
11. LETTER OF PRESIDENT TYLER,..... 216
12. BOOK REVIEWS, ... 217

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THE MEDICAL MEN OF VIRGINIA.*

Beginning, therefore, with the settlement of Jamestown on May 14, 1607, we note that among the devoted men who placed an ocean between themselves and home, were two surgeons—William Wilkinson and Thomas Wotten—who performed useful service during the first dreadful summer at Jamestown. Then in the First Supply were Anthony Bagnall, chirurgeon and William Russell, doctor of physic. The former of these appears in the lime light of history as much of a sportsman. He attended Smith in his visit to Werowocomoco in December, 1608, upon which occasion three of the voyagers, including Bagnall, killed one hundred and forty-eight ducks in three shots. The other—William Russell—participated in Smith's exploration of the Chesapeake Bay in the June previous, and we are told that it was due to his skill as a physician that Smith escaped death near the mouth of the Rappahannock River. Smith was stung by a stingray. His hand, arm and shoulder swelled to such a size, and he experienced such agony, that his death seemed certain. He got down so low that his companions prepared a grave for him on an island, but Dr. Russell, by dressing the wound with an ointment which he had on hand, so relieved the pain and swelling, that Smith, instead of filling a grave with his dead body, filled his stomach

*From an address by the editor to the graduating class of the Medical College of Virginia, Richmond, Va., May 18, 1910, and published in the *Old Dominion Journal of Medicine and Surgery*, August, 1910.

that very evening with the fish which had so tormented him. The point of land at which this event occurred is still known on the map of Virginia as Stingray Point.

The next physician of prominence that we hear of was Dr. Lawrence Bohun. He was educated among "the most learned surgeons and physicians in the Netherlands." In 1610 he came with Lord Delaware to Virginia and was of much service to the poor survivors of the Starving Time and the many sick among the new arrivals. The Company created him physician general to the colony, and to support the dignity of the office gave him five hundred acres of land and ten servants.

Dr. Bohun's name is identified with one of the most glorious exploits of the English nation. In one of his voyages to Virginia the ship in which he sailed, called the *Margaret and John,* commanded by Captain Anthony Chester, was attacked in the West Indies by two Spanish men-of-war, each of three hundred tons burden.

The English ship was a merchant vessel of one hundred and sixty tons, and carried only eight guns, and in handling them the gunners were so embarrassed by the household goods which encumbered the deck that only four of the eight were available. And yet so gallantly did the English conduct themselves that they drove off the Spaniards and inflicted heavy damages upon them. During this desperate battle the passengers and sailors on the *Margaret and John,* cheered on by their gallant captain, fought side by side. Dr. Bohun performed prodigies of valor, but received a mortal wound. Captain Chester rushed to his aid, and embracing him exclaimed: "Oh, Dr. Bohun what a disaster is this!" The noble doctor replied: "Fight it out brave man, the cause is good, and the Lord receive my soul!" There are very few dying remarks that contain so much in a few words. Courage, resolve, the sense of right and faith in providence find powerful expression.

The next doctor that I shall notice is a man who looms up

as politician as well as doctor. He is the only physician, with the exception of the first Governor Floyd, that ever held the office of chief executive of the Commonwealth.

After the news of the death of Dr. Bohun, the London Company selected as his successor John Pott, who was a Cambridge Master of Arts, and was recommended by the famous Theodorick Gulston "as well practiced in chirurgerie and physic and expert also in distilling of waters." But Dr. Pott was not only a good doctor, but a shrewd politician. He was made one of the council to the new Governor, Sir Francis Wyatt, and came over to Virginia with him in the *George* in November, 1621.

Dr. Pott had a varied experience in Virginia, and his name is curiously mixed up with several very grave offenses. After the treacherous massacre by the Indians in 1622, the feelings of the English settlers were naturally much embittered against a people who had violated all laws of faith and hospitality; and as the Indians hid themselves in out of way places, poison, it is said, was made use of to destroy them. Of the details of this iniquity we know nothing for certain, but it enabled his enemy, Sir Robert Rich, Earl of Warwick, who charged Pott with being the author, to have his name dropped from the list of councillors named in the commission granted to Sir Francis Wyatt in 1624. As, however, his name was restored two years later, we have reason to suppose that on a more thorough investigation the charge was found erroneous. It was not long before a new trouble developed.

In 1629, on the departure of Colonel Francis West, Pott became acting Governor, and discharged the duties for a year. During Pott's administration George Calvert, Lord Baltimore, visited Jamestown with a view to a settlement, but was coldly treated and sailed to England, where he obtained a patent for Maryland in 1632. Upon Harvey's arrival as Governor in March, 1630, charges were preferred against Pott by his enemies. He appeared before the general court on July 9, 1630, and before a jury of thirteen was tried for stealing cattle.

The jury declared Pott guilty, but Harvey declined to pronounce judgment until the King's pleasure could be known, and he wrote to England that Pott was "the only physician in the colony skilled in epidemical diseases," and suggested that his estate should be restored in view of his long residence and the value of his service. Elizabeth, the doctor's wife, impelled by affection, reached London in September, after an absence of ten years, and with earnestness pleaded for her husband. The case against Pott was referred to commissioners, who gave it due consideration and reported that there was no sufficient proof to justify the proceedings against his life and estate, and that the sentence was "rigorous if not erroneous." They recommended the pardon which was granted.

In the quarrel between William Claiborne and Lord Baltimore for the possession of Maryland, Dr. Pott was prominent in maintaining the side of the Virginia colonists, and was one of the daring councillors who arrested Sir John Harvey in 1635, and sent him back to his master; but the King sent orders for the conspirators to appear in England, and Pott must have died soon after, as his name ceases to appear in the records.

During Pott's connection with Virginia, the colony grew very much in wealth and population. At the same time the mortality was something terrible. One out of five emigrants was lucky if he survived the first year of his stay, and this period of probation was called the "seasoning time." The mortality fell chiefly upon the white servants, who were most exposed to the malaria and mosquitoes of the creeks and rivers upon which all of the early settlements were made. The doctors appear to have been largely apprentices who were attracted to Virginia by the lack of any restrictions on the practice of medicine, and by the pecuniary prospect. It was charged that their fees were so excessive that masters preferred to let their sick servants die rather than incur an expense which was often

greater than the purchase price of the patients. In order to remedy a state of affairs which endangered life, the General Assembly passed an act on October 21, 1639, requiring the physician in every contested case to declare upon oath the true value, worth and quantity of his drugs and medicines administered, whereupon the court should fix the charge. It was further ordered that doctors who neglected their patients should be punished, and that no doctor should refuse his help and assistance to persons in extremity.

There were four other acts passed during the first century in regard to the practice of medicine—the acts of 1646, 1658, 1662, 1692—but they did not differ greatly from one another. The first two were pretty nearly the same as the act of 1639 already mentioned, but the acts of 1662 and 1692 seemed to admit that an injustice had been done the physicians, as the former permitted them to add fifty per cent to the cost of their drugs, and the latter as much as one hundred per cent. By way of a good word it must be remembered that if the doctors came to Virginia to make money out of the mortality, they incurred great risk of death themselves.

These acts were intended to prevent extortion rather than to prevent quacks and charletans, and were far from meeting the requirements of the profession. Nevertheless, they have proved valuable for the purposes of the historian, and I am grateful to them. As we all know, the physician makes it a rule to keep out of the papers, and whether this is due to the ways that are dark or tricks that are vain, as seems broadly hinted at in the Acts of Assembly, or to an innate modesty, which is the consecrated result of a noble profession, and which I much prefer to believe, these ancient laws have been the happy means of preserving the name of many of the earliest country physicians, who would otherwise have been unknown.

Among the doctors who appear in the York county records during the latter half of the century in which Jamestown was

settled, the following may be mentioned: Dr. Giles Modé, Dr. John Pettit—two Frenchmen, whose names were soon anglicized into Moody and Pettit, by which their descendants are known in Virginia to-day; Dr. Francis Haddon, Dr. Patrick Napier, Dr. Henry Lee, Dr. Henry Power, Dr. John Toten, and Dr. Mathew Slader. Here is a specimen of the charges in tobacco made by Dr. Moody against Mr. George Light:

GEORGE LIGHT DR. JUNE THE 20TH 1657.

An electuary ag^{t} vomiting	030
A Cordiall	030
A Julip	025
A Glister & adminstering	050
A Glister	030
A Glister & administering,	050
A phlebothomy to J° Simons	020
A dose of physic p Idem	050
A Laxative sirrip	020
Stomack Powd^{r}	40
A phlebothomy to y^{e} Mayd	020

This bill seems to show that the laws passed at different times had not much affected the high charges of the doctors so much complained of. The price of a pound of tobacco was two cents and a half, but as money was worth five times the present value, the true price of tobacco was about twelve cents and a half, so that a case of cupping, "phlebothomy," which it appears was the cheapest medical operation, cost $2.50.

A great deal of the skill of the physician was required to cure sores, which developed especially on the white servants, enfeebled by the long sea journeys and insufficient diet, while the "ague and fever" was especially deadly and destructive. In the presence of this last disease, the Virginia doctor of the

seventeenth century, being without quinine or peruvian bark, which had not yet been recognized as a remedial agent, was almost helpless. This strange affection seemed to have a whole lexicography of its own. There was the second day ague, and the third day ague called a tertian, and the fourth day ague called a quartan; and the ague that came every week, and the ague, I believe, that came every two weeks; and they were nothing like the chills of the present day, which are seldom serious, but they meant death. The poor patient ached in every bone and his teeth chattered in his head till they threatened to fall out, and there followed a throbbing headache and a burning fever, which made the patient feel as if he had been plunged in a bath of Vesuvian lava.

We have a graphic description of Virginia in 1633 by an old Dutch ship captain who traded with James River, Peter De Vries by name. After complimenting Virginia as "a fine country, altogether a beautiful flat land full of all kind of fine, large trees, oak, hickory, chestnut, ashe, cypress and cedar, and other kinds," he writes: "There is an objection which the English make. They say that during the months of June, July, and August. it is very unhealthy; that their people, who have then lately arrived from England, die during these months like cats and dogs, whence they call it the sickly season. When they have this sickness, they want to sleep all the time, but they must be prevented from sleeping by force, as they die if they get asleep." At another time he said that he saw thirty-six English ships at the mouth of James River loading tobacco, and fifteen of the captains were dead because of the unhealthy climate. Nearly a hundred years later, George Hume, a young man of the better class, who settled in Culpeper county, wrote as follows: "All that come to this country have ordinarily sickness at first, wch they call a seasoning, of wch I shall assure you I had a most severe one when I went to town. * * * I believe, indeed, I should have died if Doctor Brown had not

stood my friend at Williamsburg." As a last analysis of the situation, Mr. Hume made the solemn declaration that: "This country is only fit for doctors and ministers."

How Virginia would have prospered with only doctors and ministers constituting the population, I am not prepared to say, but after the opening of the forests which greatly reduced the numbers of the germ-bearing mosquitoes and the general use of quinine which proved an antitoxine, Virginia became as healthy as any other country, and the classes intermediate to the doctor and minister not only preserved their existence, but multiplied their numbers prodigiously.

What was the standing of a doctor of physic? Social distinctions were much greater in the seventeenth century than the nineteenth century, when negro slavery had produced an equality among all white men. In 1673, there is an account of a horse race run between James Bullock, a tailor, and a physician named Matthew Slader—both residing in York county. Instead of treating both parties equally, a fine of one hundred pounds was inflicted upon the unfortunate tailor on the ground that "it was contrary to law for a laborer to run races, it being a sport only for gentlemen." Another evidence of the high standing of the profession, in spite of the abuses which it encouraged, is afforded by the high charges so much complained of. Dr. John Toten desired the court, in 1681, to record the fact that "he would not visit any person lying sick in York county, unless the person he did visit would give him ten shillings sterling for each visit." As ten shillings sterling amounted to about $10, it is safe to say that Dr. Toten had few associations outside of the wealthy inhabitants.

After the act of 1692, there was no more legislation for forty-four years. During this long period there were some strong men among the physicians—men of university degrees. We must not forget Dr. Archibald Blair, of York county, brother of Rev. James Blair, founder of the College of William

and Mary; Dr. John Clayton and Dr. Henry Potter, of Middlesex county, the former a celebrated botanist; Drs. John Tennent, Sr., and Tennent, Jr., of Spotsylvania county, the former of whom published a pamphlet on the value of snake root as a diuretic; Dr. William Cabell, of Amherst county, founder of the distinguished Virginia family of that name; Dr. Charles Brown, of York county, who had one of the finest libraries in America; Dr. Richard Bryan, of King George county, who was given by the General Assembly £250 for discovering a cure for dysentery; Dr. John Baynham, of Caroline, and Dr. William Baynham, of Essex county; Dr. John Mitchell, of Middlesex county, Fellow of the Royal Society, and like Clayton, a botanist; and Dr. William Cocke, of Williamsburg, Secretary of State under Alexander Spotswood, who was brother-in-law of Mark Catesby, the naturalist, and whose tablet in Williamsburg church attests "his indisputed skill as a physician."

Nevertheless, the measure of wrath among the people was growing, and at length in 1736 it exploded in another act, which had a mighty preamble. From this preamble we learn that the medical practitioners were still "more commonly surgeons, apothecaries, or such as have only served apprenticeships in those trades," who often prove "unskillful in the art of a physician." "Nevertheless," so ran the statute, "they were wont to demand excessive fees and exact unreasonable prices for the medicines which they administer, and do too often, for the sake of making up long and extensive bills, load their patients with greater quantities thereof than are necessary or useful, concealing all their compositions as well as to prevent the discovery of their practice as of the true value of what they administer, which is become a grievance, dangerous and intolerable as well to the poorer sort of people as to others, and doth require the most effectual remedy that the nature of the thing will admit." It was accordingly enacted "that no

surgeon or apothecary, who had served an apprenticeship to those trades" should charge more than the following rates: Five shillings for any visit or prescription in town or within five miles and one shilling more for every additional mile over five and under ten; for every ten miles ten shillings and six pence additional for every mile above ten; with an allowance for all ferriages in their journeys; provided that those who had taken a degree in a university were permitted to double the aforesaid charges. And to the end that the true value of his medicine might be known, the doctor was forbidden to administer any remedy without at the same time handing to the patient an itemized statement of the ingredients which entered into his mixtures and the prices thereof. For simple fractures surgeons were permitted to charge £2 and for a compound fracture £4. These prices seem to have contemplated current Virginia money, which was one-third less in value than sterling money.

In explanation of this act it must be said that at the time it became a law very little advance had been made in the art of surgery, which was confined to the simple operations of blood letting, pulling teeth and dressing wounds, and the barbers who cut hair and sold and fitted wigs practiced surgery in the simpler forms. Indeed, in England, since the age of Henry VIII. the barbers and surgeons had formed one company, and this continued till eight years after the passage of the act just mentioned. It was not till the year 1745 that the art of surgery and the art of barbery were separated by an Act of Parliament, and since that time they have continually diverged; and while the surgeons have ascended in the social scale, the barbers have descended, till little remains of their former dignity but the sign pole with its spiral decorations, in imitation of the bandage and the basin to catch the patient's blood.

There was no further law made by the Virginia Legislature for the regulation of the practice of medicine for nearly a hun-

dred and fifty years succeeding the act of 1736. In fact, there was no real regulation of the practice at all during that long period, and after the American Revolution the only legal requirements imposed on the ambitious aspirant for medical practice was the payment of a fee to the State. Nevertheless, there was the unwritten law of custom, which proved potential in a way. The number of university graduates increased till by the time the American Revolution was fairly under way, the tone of the profession was largely dominated by them.

Among the physicians and surgeons who walked in the first circles about the time of the Revolution were Dr. Thomas Walker, of Albemarle, the explorer of Kentucky; Dr. Kenneth McKenzie; Dr. George Riddell; Dr. George Gilmer, the elder, who calls himself in his will "chirurgeon-surgeon"; Dr. John Brodie; Dr. Thomas Powell; Dr. George Pitt; Dr. Hugh Mercer, who, as major-general, was one of the heroes of the Revolution; Dr. William Pasteur, mayor of Williamsburg in 1775, son of Dr. John Pasteur, perukemaker, who came from Geneva in the Huguenot emigration of 1700; Dr. James Craik, of Alexandria; Dr. John Minson Galt; Dr. William Carter, who had charge of the hospital in Williamsburg during the Revolution; and Dr. Matthew Pope, who had charge of the hospital at Yorktown.

The native Virginians now began to assert themselves, and the University of Edinburgh, in Scotland, became a favorite place of study for the more wealthy youth, and among those who attended them before the Revolution were: 1754, Vallentine Peyton; 1758, Richard Gustavus Brown and Thomas Clayton; 1761. Theodorick Bland, James Bankhead, Richard Field, George Gilmer, the younger, Arthur Lee, and James Blair, son of Hon. John Blair; 1765, Corbin Griffin and James Tapscott; 1769, Walter Jones and Joseph Godwyn; 1767, George Steptoe and John Minson Galt; 1770, James McClurg, John Ravenscroft, Gustavus Brown and Archibald Campbell; 1773,

William Ball; 1774, John Tayloe Griffin and Philip Turpin; 1776, Samuel Nichols. Most of these young men distinguished themselves in the service of their country, as well as in the practice of their profession. Theodorick Bland and George Gilmer held important military offices. Walter Jones was a distinguished member of Congress, John Minson Galt was surgeon-general of Virginia, and James McClurg ranked among the first physicians in America.

In 1761 the half dozen Virginians at Edinburgh formed a club, whose constitution was drawn by Theodorick Bland. It consisted of eight articles, which pledged the members as follows: No one was to be a member who would not declare upon his honor his intention of taking a degree. Every member was to promise "to make it his endeavor, if possible, for the honor of his profession not to degrade it by hereafter mingling the trade of an apothecary or surgeon with it." The articles affirmed that as anatomy was the true basis of medicine, the practical purpose of the club was to improve its members in that branch of study by each member in turn giving a demonstration in anatomy at his own room.

It was probably, as a part of this movement, that Dr. Bland drew a petition to the Council and House of Burgesses of Virginia, which is stated to be in behalf of the Virginia students of physic at the University, protesting against the unguarded state of the practice in Virginia, "which," they said, "lay open to the intrusion of every pretender to the medicinal art who may there practice not less to the dishonor of medicine itself than the destruction of mankind," and asking that the right to practice should be confined to those who had been "properly licensed and honored with a doctor's degree."

This petition had no effect, and it is probable that the country districts of Virginia are not yet ready for a law such as would have satisfied the ambitious Virginia students at the University of Edinburgh in 1761. The country doctor still

finds it necessary to be his own apothecary and do, in a measure, his own surgical work.

One among the prerevolutionary graduates of Edinburgh, James McClurg, deserves more than the passing notice which I have given him. He was the son of Dr. Walter McClurg—a surgeon in the British navy, who was sent to Hampton to open the first hospital in America to inoculate for smallpox. To the highest scholarship obtained at William and Mary, the University of Edinburgh, and the hospitals of Paris and London, he united a dignity of character and ability that placed him among the foremost men of his age. Among his literary works, his *Essay on the Human Bile* was so original and instructive that it was translated into the language of every European nation. In December, 1779, he was elected to fill the chair of medicine instituted that year at William and Mary College, which was next in time to the celebrated chair established at the College of Philadelphia. This chair had only a brief existence—not more than a year—but it is interesting as the first attempt to teach the subject of medicine at a college in Virginia. Probably his class was not large, and Dr. McClurg soon severed his relations with the college and went to Richmond, to which the seat of government had been removed. While a resident of this city he was elected, in 1787, one of the delegates from this State to the Federal Convention at Philadelphia, which framed our present Constitution, and acted an important part in its proceedings. After occupying the highest rank in his profession for half a century, he died in Richmond, July 9, 1825, in the seventy-eighth year of his age. His mantle descended on his nephew, James Drew McCaw, who with his son, Dr. William McCaw, and his grandson, James B. McCaw, and his great-grandson David McCaw, have served the people of Richmond in the medical profession for more than a century. Of the first of these, Dr. James Drew McCaw, Major John Pryor, of Richmond, writing to Major

Thomas Massie, in 1799, declared that he was in his belief "one of the greatest men of his profession in America."

Perhaps things never had been as bad as represented in the old statutes of the Legislature, and as the eighteenth century advanced to its close, public opinion caused the standard of practicing to be steadily raised. There is an evidence in the records which shows conclusively how the pride of the profession had increased. In 1792 Jacob Rubsamen made his will in Chesterfield county, which was proved in 1799, and in it he made this derogatory comment: "Curry, the quack doctor, has an account against me and it is rascally and most unjust." This severe language, Dr. Curry took a curious but convincing way to answer. He caused the clerk of the court to put on record immediately under Rubsamen's will a certificate from the most eminent physician in Virginia, Dr. James McClurg, that "he had seen in the possession of Dr. James Curry such ample testimonials from a British University as proved him to be a physician regularly educated."

After this time, without any law to that effect and simply by force of public opinion, a doctor's degree became by custom almost essential to the practice. European universities were superseded by American colleges and the College of Philadelphia, which had become, in 1779, the University of Pennsylvania, was an especial favorite with the Southern youth. Between 1810 and 1860 the number of Southern youths who matriculated at this institution reached the total of upwards of 7,000. Maryland University was also a great favorite and contributed over 300 graduate doctors from Virginia alone. In 1824 the University of Virginia entered on its remarkable career under the auspices of Mr. Jefferson. The first professor of anatomy and medicine was Dr. Robert Dunglison, and in the course of the eight years which he spent at the University, over 277 students, principally Virginians, passed under his instruction.

Then came the great awakening in Richmond, in 1837, through the medium of Hampden-Sidney College. The deficiency of the University in clinical advantages seems to have been at the bottom of the suggestion to establish a medical department of Hampden-Sidney in Richmond. This was accordingly done, and six professors were engaged. They taught first in the old Union Hotel, on the corner of Nineteenth and Main Streets, but seven years later, being fortunate enough to obtain a loan of $25,000 from the Literary Fund of the State, they erected, in the Egyptian style, on the old Academy or Theatre Square, the attractive building which is still used. Separation from Hampden-Sidney was inevitable, and in 1854 the institution in Richmond ceased to be the Medical Department of Hampden-Sidney College, and was incorporated under the name and style of "The Medical College of Virginia."

In 1860, by reason of the bitter sectional feeling, the large contingent of Southern medical students attending at the colleges in Philadelphia withdrew in a body under the lead of Dr. Hunter Holmes McGuire; and, to use a modern expression, it was up to the General Assembly to provide a substitute. Accordingly, on March 1, 1860, the General Assembly appropriated $30,000 more for enlarging and equipping the hospital annexed to the medical building in Richmond. In return, the faculty gave up its property to the State. It thus became to all intents and purposes a State institution, and since 1866 it has received a yearly appropriation from the State treasury, one, however, by no means commensurate with the magnificent work it has accomplished. The establishment of the University College of Medicine in 1895, with the growth and development of the medical and surgical associations and the construction of numerous hospitals and retreats for the sick, has made Richmond the center of medical thought and medical culture in the Southern States.

One fact must not be overlooked. The establishment of so

many medical institutions in the United States caused the doctor's degree to fall from the high opinion which it at once enjoyed. Something had to be done to protect the practice; and this was accomplished by the medical profession rather than the medical colleges. It must be remembered that the first suggestion of a law regulating entrance on the practice came from the club of Virginia students at Edinburgh in 1761. In 1851, as I am informed by Dr. Herbert Nash, of Norfolk, the medical students of the University of Virginia, of which he was one, signed a petition to the Legislature for an Examining Board of Medicine, to be wholly independent of the medical colleges.

There was much opposition to the plan, and it was not until the year 1885, after persistent efforts of the profession in Virginia, that at last a Board of Examiners was established, and so it has been very largely due to the American Medical Association that the entrance examinations at the colleges themselves has been bettered and the standard of general attainments and medical knowledge so much promoted. And now the majority of the colleges require an equivalent of a four years' high school course before being admitted to matriculation, and some few require the degree of A. B. or A. M. before matriculation.

How much have Virginia doctors contributed to the great illumination which has characterized the civilization of the last hundred years? This is probably a question that cannot be fully answered. The amount of cultivation in the world today is the result of action and counteraction, and perhaps there is no life, however obscure, that does not contribute a little during its tenure on earth to the great mass of human knowledge. Of the greater number of people in all departments of life, history is necessarily silent. And yet if oblivion was the fate of the large majority of our physicians, we know that they went about doing good, and had the reward that a good conscience and a grateful constituency confer. I may, however,

briefly mention some whose names are more readily numbered, because they shine in a glory of a great light as benefactors of the human race.

NATHANIEL CHAPMAN, of Fairfax, born in 1780, one of the professors of the University of Pennsylvania, an eminent instructor of the youth, first president of the American Medical Association, founder of the *American Journal of Medical Science,* and author of numerous medical works distinguished for their brilliancy and originality.

EPHRAIM McDOWELL, of Rockbridge county, born in 1771, studied at Edinburgh and practiced at Danville, Va. He was the first to operate for ovarian tumor, and became famous as the "father of ovariotomy."

BENJAMIN WINSLOW DUDLEY, of Spotsylvania county, born in 1783, graduated at the University of Pennsylvania in 1806, and afterwards studied at London under Cooper and Abernathy. He performed the first operation for stone in the bladder, and was spoken of as the greatest lithotomist. It has been said that Benjamin Dudley's career will present the longest list of successful operations by any surgeon of modern times. He was an advanced apostle of asepsis, and attributed much of his success to the free use of hot water.

JOHN PETER METTAUER, of Prince Edward county, A. B. of Hampden-Sidney College, and a M. D. of the University of Pennsylvania in 1809. He practiced at Prince Edward Courthouse, and was an instructor of a group of private students until in 1837 they were organized into a Medical Institute, which later became a part of Randolph-Macon College. He was one of the first to conceive the idea of curing vesicovaginal fistula, the first on this continent to operate for cleft palate, the first to employ iodine in the treatment of scrofula, and was among the first in such major operations as amputation of the

shoulder, ligation of the carotid, and the re-section of the superior maxilla.

HENRY DRAPER, of Prince George county, born March 7, 1837, studied at the University of New York and became Dean of the Medical Department. He made a specialty of celestial photography, and was the first to make the discovery of oxygen in the sun by this means. This was pronounced the most brilliant discovery ever made in physical science by any American.

HUNTER HOLMES MCGUIRE, born in Winchester, Va., in 1835, studied at the University of Pennsylvania, and at the Jefferson Medical College of Philadelphia, and at the Medical College of Virginia, from which he graduated as Doctor of Medicine in 1860. He was medical director of the Army of the Shenandoah under General T. J. Jackson during the war for Southern Independence. He distinguished himself as one of the leading physicians of the South, and died honored and beloved in our midst not many years ago. He was noted for his original methods in surgery, and was among the first to use plaster casts in the treatment of spinal troubles and broken limbs.

WALTER REED, of Gloucester county, born in 1861, educated in medicine and surgery at the University of Virginia and at Bellevue Hospital, New York. He entered the United States Army as assistant surgeon. During the Spanish war he undertook the yellow fever problem, and proved the only way that yellow fever could be communicated was by the bite of a certain species of mosquito. As a result of making the cause known, the remedy has been applied, and this formidable disease has almost disappeared.

Such are a few of the most prominent names among the nineteenth century Virginia doctors who may be classed among the great world inventors and discoverers.

MABINOGION OF THE WEST.

COMMUNICATED BY ALFRED J. MORRISON, HAMPDEN-SIDNEY, VA.

The expedition that gave Mount Vernon its name revived the general question, In what nation was the title to America? These nice points of priority have often been very serious matters, and although forms of discussion are different to-day, the bases of dispute may be quite the same. Precedent was not greatly cited a dozen years ago, but the Spaniard was ousted none the less. In 1740, when Admiral Vernon was for a time a hero, the patriot of the open letter was pleased to show how that the English was the only right. In the *Gentleman's Magazine* for that year (Vol. X., pp. 103-105), the Vicar of St. David's argues, with proof:

"Sir,

"That the vast Continent of *America* was first discovered by *Britons,* above Three hundred Years before the Spaniards had any Footing there; and that Descendants of that first Colony of *Britons* who then seated themselves there are still a distinct people, and retain their original Language, is a Matter of Fact, which may be indisputably proved by the concurrent Account of several Writers and Travellers. I shall first quote a letter of Mr. *Morgan Jones,* Chaplain to the Plantations of *South Carolina,* sent to Dr. *Thomas Lloyd,* of *Pennsylvania,* by whom it was transmitted to *Charles Lloyd* of *Dol-y-fran* in *Montgomeryshire,* Esqr: and afterwards communicated to Dr. *Robert Plott,* by the hands of Mr. *Edward Lluid,* A. M., Keeper of the *Ashmolean Museum in Oxford.* It is as follows:

" 'These Presents may certify all Persons whosoever, that in the year 1660, I being then an Inhabitant in *Virginia,* and Chaplain to Major-General *Bennet* of Manseman [Nansemond] county, the said Major *Bennet* and Sir *William Berkeley* sent two ships to *Port Royal,* now called *South Carolina,* which is 60 Leagues to the Southward of *Cape Fair,* and I was sent therewith to be their Minister.

" 'Upon the 8th of *April* we set out from *Virginia* and arriv'd at the Harbour's Mouth of *Port Royal* the 19th of the same Month, where we waited for the rest of the Fleet that was to

sail from *Barbadoes* and *Bermuda* with one Mr. *West*, who was to be Deputy-Governor of the said Place. As soon as the Fleet came in, the small Vessels that were with us sail'd up the River to a Place called *Oyster Point*. There I continued about eight Months; all which Time being almost starved for want of Provisions, I and five more travell'd thro' the Wilderness till we came to the *Tuscorara* Country: There the *Tuscorara Indians* took us Provisions, because we told them we were bound for *Roanoke*: That Night they carried us into their Town, and shut us up close by ourselves, to our no small Dread. The next Day they enter'd into a Consultation about us; which after it was over, their Interpreter told us, that we must prepare ourselves to die next Morning. Whereupon being very much dejected, and speaking to this Effect in the *British* Tongue, "Have I escaped so many Dangers, and must I now be knocked on the Head like a Dog?" Then presently an *Indian* came to me, which afterwards appear'd to be a War-Captain; belonging to the Sachim of the Doegs (whose original I find must be from the Old *Britons*) and took me up by the Middle, and told me in the *British* Tongue, *I should not die*: and thereupon went to the Emperour of *Tuscorara*, and agreed for my Ransom and the Men that were with me. They then welcomed us to their Town, and entertained us very civilly and cordially four Months; during which Time I had the Opportunity of conversing with them familiarly in the British Language; and *did preach to them three Times a Week in the same Language;* and they would usually confer with me about any thing that was difficult therein; and at our Departure they abundantly suppli'd us with whatever was necessary to our Support and Well-being. They are seated upon *Pontigo-River*, not far from *Cape-Atros*. This is a brief Recital of my Travels among the *Doeg Indians*.

" 'Morgan Jones, the
" 'son of John Jones
" 'of Basaleg, near
" 'New-Port, in the
" 'County of Mon-
" 'mouth.

"'New York, March 10th, 1685–6.

"'P. S.—I am ready to conduct any *Welshman* or others to the Country.'"

The Vicar of St. David's observes that Mr. Morgan Jones was probably unacquainted with the history of his own country, and himself supplies some account of Madoc ap Owen Gwyneth's discovery of Mexico in 1170, referring to *Sir Thomas Herbert's Travels*, page 222, and to *Dr. Heylin's Geography*, page 1000, and citing the epitaph of Madoc in Mexico—

Madoc wyf mwydic ei wedd
Jawn Genau Owen Gwynedd, etc.

"But this Narrative," adds the Vicar, "sets off the whole Matter beyond Dispute; wherein our Author writes with such Simplicity and unaffected style, and without any studied Eloquence, as 'tis plain he had nothing in View, but to relate the naked Truth.

"THEOPHILUS EVANS,
"Vicar of St. David's in Brecon."[1]

LETTER OF JOHN KENNON.[2]

September 10th, 1778.

COPIED FROM THE RECORDS OF SURRY COUNTY BY A. S. EDWARDS, CLERK.

Dear Sir:

It was with pleasure I read your letter, received of Lt. Boyce, 'till I came to a clause wherein you mentioned that you had always manifested the greatest readiness in serving me, and were in hopes I was convinced of it. Your doubting my being con-

[1] This legend of a Welsh discovery of America is often mentioned by eighteenth century writers, and is discussed at large, with many other hypotheses, by both Sam. Engel and Cornelius De Pauw. A considerable bibliography is given in a recent volume of *Notes and Queries*. However, Chaplain Jones's letter is rather startling. A. T. U.

[2] This John Kennon appears to have been a son of Colonel Richard Kennon, of Charles City county. His sister Anne married Allen Cocke, to whom the letter above seems to have been written, and sister Mary married William Randolph.

vinced of it, arose from my writing to you from W. Randolphs I suppose, it cou'd not from my behavior whilst at your house, or you wou'd have mentioned it to me. If any thing I mentioned in that letter, cou'd lead you to doubt my resting the most perfect confidence in you, both as a Friend and a Brother, I beg you wou'd think it proceeded from these reasons, That my being upon the point of leaving my Native Land, my not being able to accomplish a settlement, and my being apprehensive my little Estate might suffer by it, you being out of the way, drove such gloomy reflections in upon me as you might discover from my letter, that supported with all the fortitude I cou'd summon to my assistance, I was not in a proper state for expressing myself on any head at all. You mention your surprise at not hearing from me oftener, you attribute it to a very unjust reason, I never have had an opportunity 'till this, for when Maj. Falkner and a number of other officers by whom I cou'd have written, left Camp, I was detach'd from the main Body in Col. D. Morgan's Corps, and never joined 'till 8th, In." Col. Parker as well as you in your letter informs you are well. I am sorry Capt. J. H. Cocke[3] has lost his Election especially by such a one as ——— Col. Parker can inform you of our success since the Enemy left Phil'a. as particularly as I can. We have had an Action with them at Monmouth Court House the particulars of it Col. Parker can inform you. It was a great Victory to us. It is the general opinion that the Enemy lost different ways 3000 Men from the Evacuation of Philadelphia 'till they embarked at Macus Hook, the most of them by desertion. We lost Maj. Dickerson and Captain Henry Fauntleroy the Day of Action. Tell my sister I am much oblige to her for the Cloths she sent out, but she need not send any thing more, as I shall try to come in if circumstances will admit of it about the Fall. But if it shou'd so happen that I wou'd be struck out of the Book of Life, I desire what little Fortune I have may be diveded in the following manner: That you have my Sword, Phill, David and my

[3] John Hartwell Cocke married Elizabeth Kennon, cousin of John Kennon.

Horses, and that Mr. Wm. Randolph have my Watch, and every thing else be divided between you in any way you two may agree on.' But if either of my sisters shou'd die, then the Proportion go to their Children. But God forbid any thing of the kind shou'd happen. Remember me to all Friends and acquaintances together with my love to my sisters and Children and tell Capt. Cocke I wou'd write to him if had Time, but we expect to March to-morrow Morning at two o'clock. Whilst I remain

Your Sincere Friend
and Hble Servant
John Kennon Lt.
2d Virg'a Reg't.

P. S. Wm. Worsham informs me that if I was to bring suit against the Old Farmer and summon him as Witness I cou'd recover Damages of him, if you think so upon seeing Worsham, I beg you wou'd bring suit against the old Rascal.

At a Court held for Surry County April 25, 1780, the foregoing Writing Purporting the last Will of the within named John Kennon deceased was presented in Court by Allen Cocke Gent. and the same having no witnesses subscribed thereto Richard Kennon and William Burton personally appeared in Court and being first sworn declared that they were well acquainted with the hand writing of the said John Kennon dec'd and that they verily believe the said Writing was wrote by the said Kennon and thereupon the same is received by the Court as and for his last Will and ordered to be recorded. And on the Motion of the said Allen Cocke Administration is granted him on the said Estate with the Will annexed, he having entered into and acknowledged his Bond with approved security as the Law directs.

Teste,

WM. NELSON *Cl. Cur.*

A Copy—Teste: A. S. EDWARDS, *Clk.*

CAROLINE COUNTY SURVEY BOOK.

COMMUNICATED BY LEWIS BECKNER, WINCHESTER, KY.

This fall, while at work in the office of the county clerk of Campbell county, at Alexandria, in this State, I ran across an old record book which was brought from Caroline county, Va., about the beginning of the nineteenth century. It is a part of the records of the surveyor's office of Caroline county, but was also used for a time as a deed book of Campbell county, Ky. It is a large book, about half a sheet in size, and covered with vellum. On the inside of the covers are written "James B. Taliaferro's book, November 24, 1814," and "James T. Taliaferro" and "John Taliaferro, Jr.," and "James B. Taliaferro." On the back is "John N. Taliaferro, Newport, Ky., July 7, 1821," also "James Taylor, C. C. C. C." Inside in several places there are "James Taylor, Jr."; and John N. Taliaferro, by his signature, shows that he is deputy for James Taylor, clerk of the Campbell County Court.

The Campbell county deeds are written in the back of the book, and do not interfere with the Caroline county surveys, which take up the front. The first Caroline county survey entered in it is dated the 22d of May, 1729, and the last the 26th of January, 1762; and the first Campbell county entry is dated the 11th of July, 1821, and the last the 16th of May, 1821. In the Campbell county end there are twenty deeds, two surveys and one sale bill, while the Caroline end contains forty-seven surveys, all made by R. O. Brooke, S. C. C. C., although from the dissimilarity of the signatures of the earlier and the later surveys I would judge that two 'R. O. Brookes" had used it.

Between the Caroline county surveys and the Campbell county deeds there is a large section of the book unused except a few pages, which have been used by James B. Taliaferro to state and work a number of problems in physics, surveying and arithmetic.

The first survey is for 137 acres, on the 22d of May, 1729, in the parish of St. Margaret's, and is for Richard and Francis Fowler.

2. For William Marshall, 150 acres, of the same date, in the same parish.

3. For Henry Reins, 250 acres on May 28, in Drysdale Parish.

4. For Henry Dillon vs. Thomas Coleman, 600 acres on the Mattapony, on the 10th of June, 1729.

5. For the prison bounds, 9 acres and 8 poles, on the 3d of June, 1729.

6. For Richard Long, 340 acres and 70 poles, near Solamon's Garden, in St. Margaret's Parish, on the 13th of June, 1729.

7. For Thomas Carr, 2,530 acres, in St. Margaret's Parish, on the 28th of October, 1729.

8. For Major Thomas Carr, 575 acres in St. Margaret's Parish, near Thomas Dickerson, October 5, 1729.

9. For Captain Richard Mauld, 387 acres in St. Margaret's Parish, on the 9th of September, 1729.

10. For Micajah Chiles, 379 acres in St. Margaret's Parish, on the 11th of December, 1729.

11. For Robert Beverley, Esq., 4,775 acres, on the same date as above.

12. For Robert Chandler, 357 acres in St. Margaret's Parish, on 2d of February, 1730.

13. For John Ellis, 530 acres in St. Margaret's Parish, on the 26 of February, 1730.

14. For John Ellis, 533 acres in St. Margaret's Parish, same date.

15. For Zach Martin, 306 acres in St. Margaret's Parish, near Paul Pigg, Robert Powell, William Marshall and Mr. Baylor, same date.

16. For Robert Faldo vs Ralph Wormeley, William Taliaferro claims 600 acres of the Henry Berry patent, 1664, and survey made April 29th, 1730.

17. For Major Thomas Catlett, 66 acres in St. Mary's Parish near Messrs. Robert Taliaferro, Grymes, Thomas Corbin and White, March 22d, 1730.

18. For Major William Woodard, 630 acres in the Edward

Wrackley patent, 1662, on Abe Moon's Creek, November 19th, 1730.

19. For Robert Beverley, Esq., 929 acres in St. Margaret's Parish, on February 24th, 1730.

20. For Mr. Charles Gooddale, both sides of Long Beach in St. Margaret's Parish, on May 14th, 1731.

21. For William Perry, 162 acres beginning at Francis and Anthony Thornton's corner, February 18th, 1731.

22. For Major Thomas Catlett, 1,376 acres in St. Mary's Parish, bounding on Taliaferro and Royston's outside line and the Goldenvale Swamp, on March 23d, 1730.

23. For Richard Long, 1,165 acres in St. Mary's Parish, near Nicholas Battaile's, near Solamon's Garden and adjoining Francis and John Taliaferro, April 26th, 1733.

24. For Charles Morgan vs. William Daniel, 122 acres near Port Tobacco, May 6th, 1734.

25. For George Marsh, 68 acres in St. Mary's Parish, near John Ellis and —— Martin, May 30th, 1737.

26. Hugh Rea, 118 acres in St. Mary's Parish, bounding on Durret and Richard Mauld, on June 1st, 1737.

27. For Crutchfield vs. Baber, 2,920 acres of the Bray survey; not dated.

28. For same, 596 acres on Herring Creek, Bray survey, on June 27th, 1738.

29. For Henry Bowcock vs. Henry Ball, 557 acres in Pewmondsend Swamp, on March 11th, 1730.

30. For William Trigg, 157 acres in St. Margaret's Parish, near William Eubanks, on April 23d, 1731. For same, 162 acres, near John Hurt and Reedy Swamp, April 23d, 1741.

31. For George Marsh, 68 acres, near John Ellis and —— Martin, May 31st, 1737.

32. For Hugh Rea, 110 acres in St. Margaret's Parish, near Richard Mauld's, June 1st, 1737.

33. For Wormeley vs. Beverley, by the edge of a Percorson in Sir Thomas Lunsford's patent, near Pewmoundsend Swamp. The names appearing are Hon. John Grymes, Esq., executor of

his father, Mr. William Taliaferro; Col. Lunsford Lomax. Made on September 18th, 1738.

34. For Capt. Joseph Berry, 286 acres in Drysdale Parish, near Col. William Beverley, Thacker, Baylor and Taylor, on January 4th, 1739.

35. For prison bounds, 10 acres, on March 14th, 1752.

36. For William Coune, 1,165 acres, on February 9th, 1754.

37. For 96 acres lapsed from William Morris by Col. Edwin Pendleton, February 28th, 1757.

38. For Adam Lindsey, 290 acres, on July 11th, 1755.

39. For William Butwell, 18 acres, on Dec. 31st, 1759.

40. For Absalom Davis, 72 acres, on May 7th, 1759.

41. For John Micou, 138 acres, in the Sunken-ground or Percorson, on November 29th, 1760.

42. For the executor of Henry Terrell, deceased, 255 acres lapsed of John Chiles. This survey made by Edward Vauter, assistant. Not dated.

43. For Lawrence Taliaferro, 12 acres and 42 poles of sunken land, on March 17th, 1761.

44. For Robert Goodloe, of Spotsylvania, 190 acres, on January 22d, 1762.

45. For Samuel Hargrave, 15 acres on Fleming Island, January 26th, 1762.

These notes were not taken with a view to form the basis for this article, else they would have been more complete, and would have given every name mentioned in each survey. The book captured my attention because I was on the chase of some elusive Taliaferro ancestors, and it looked like it would repay an investigation. Seeing it was so full of Taliaferro names, I made the above abstract. It will be noticed that the entries in which Taliaferro appear have been more fully noted by me. My mother, Betty Taliaferro, was a daughter of Major John Taliaferro, of Winchester, Ky.; he the son of Hay Taliaferro, who came to Clark county, Ky., about 1812, from Caroline county, Va., and was a son of William Taliaferro, of the latter county, and his wife, Margaret Aylett.

It was my search for the ancestors of the last named parties that led me to make the discovery of this curious relic. Since then it has occurred to me several times that it ought to be brought to the notice of some one in Virginia; and I can think of no one to whom the notice would be of more interest than to the readers of the WILLIAM AND MARY QUARTERLY.

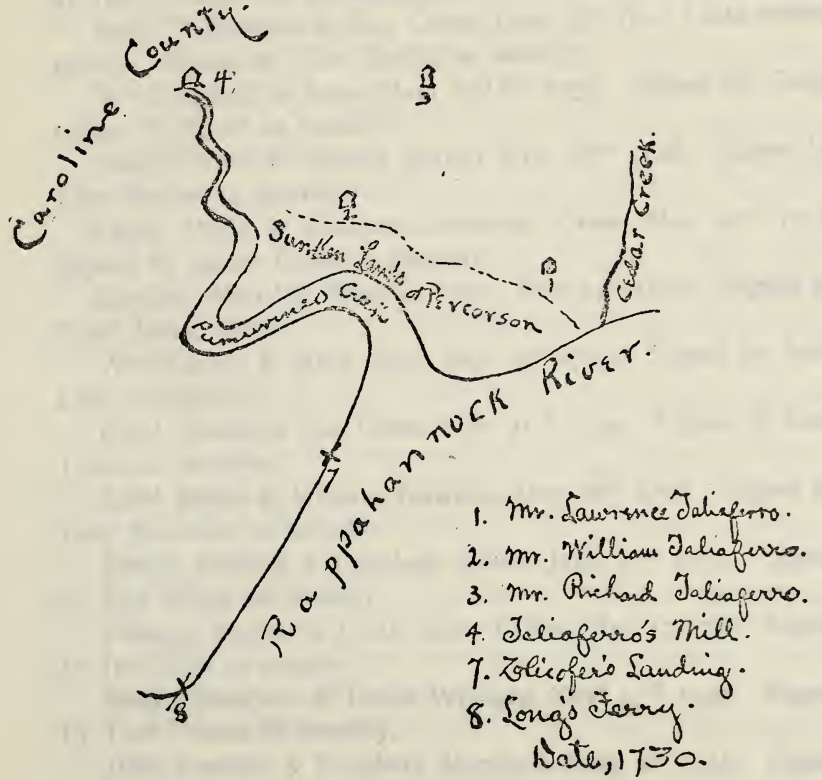
Surmising upon that part of the history of the old book, which is not shown upon its pages, I would say that one of the Taliaferros was assistant to Surveyor Brooke or married into his family, and so became possessed of the book; and by some mistake carried it to Kentucky at the time of the Taliaferro migration. James Taylor, of Caroline county, father of the James Taylor, clerk of the Campbell County Court, married for his wife a Taliaferro, daughter, I believe, of Colonel John, of Dissington, and his wife, a Thornton. This will doubtless account for the fact that John N. Taliaferro was deputy clerk, and why the book was used for a deed book.

This (Clark) county was the seat of a large settlement of Caroline county people—Battailes, Taylors, Taliaferros, Thorntons, Willises, Lanes, etc.—and amongst them were Hubbard and Reubin Taylor, brothers of James, the Campbell county clerk, and Hay Taliaferro, my ancestor. They were kinsmen, and one can imagine the thrill of interest with which I went through the old book.

SKETCH.

The sketch is a copy of the sketch that accompanied numbers 17 and 34 above. It was made offhand, and does not pretend to absolute accuracy, but is a fair approximation. The original gives the location of the Henry Berry patent, 1664, and that of Sir Thomas Lunsford. It was copied because it showed the location in 1730 of the homes of Lawrence, William and Richard Taliaferro, one of whom was possibly my ancestor. I would like very much to know if this were so. The use of "percorson" (so spelled) for sunken land was interesting, and, presumably, is from the Indian.

Not foreseeing that this use would be made of my notes, I neglected to note just when the "R. O. Brooke" signature changed, but by memory I am inclined to say that it was between numbers 35 and 36, or thereabouts.



Sketch of Map Accompanying Description of Caroline County, Virginia, Old Record Book in Campbell County, Kentucky, by Lucien Beckner, of Winchester, Ky.

Winchester, Ky.

AMELIA COUNTY MARRIAGE BONDS—1735-1755.[1]

COMMUNICATED BY H. W. DE KRAFFT, AMELIA, VA.

Henry Warde and Prudence Jones, Octo. 25th 1746. Signed by Henry Anderson as security.

Benj. Williamson & May Green June 17th 17— (date worm-eaten). Signed by Thos Beville as security.

Wm Wallthall & Anna Elam Apl 6th 1752. Signed by Christopher Wallthall as security.

Joseph Ward & Martha Burton Jany. 20th 1748. Signed by John Burton as security.

Filmer Wills & Elizabeth Rebeccah Green May 24th 1755. Signed by Abram Green as security.

Rowland Ward & Rebecka Jones, Nov 24th 1752. Signed by Richd Jones, certif:

Wm Watson & Mary Jones Sept 22d, 1739. Signed by Saml Leny as security.

Edwd Booker & Ann Cobbs Feby 21 st 1739. Signed by Saml Lewis as security.

Richd Burke & Milliner Hawkins Jany 26th 1749. Signed by Benj Hawkins as security.

Joseph Boswell & Elizabeth Elliott Jany 17th 1753. Signed by Geo Elliott as security.

Edmund Booker & Edith Marot Cobbs. May 17 1746. Signed by Jno Nash as security.

Benj: Cheatham & Grace Williams Novr 17th 1747. Signed by Thos Brooks as security.

John Banister & Elizabeth Munford, Feby 4th 1755. Signed by Edwd Jones as security.

Mathew Branch & (destroyed) Feby — 1749. Signed by Peter Jones as security.

John Combs & Frances Elam Sept 11th 1750. Signed by Jno Booker as security.

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[1] The bonds after 1755 have already been published. This completes the number at the courthouse.

Wm Booker & Mary Flournoy Apl 1st 1755. Signed by Edwd Booker Jr as security.

Wm Giles & Mary Mattock Ellis June 28th 1746. Signed by John Ellis as security.

Wm Feaston & Catherine Neal Octo 8th 1751. Signed by Roger Thomson as security.

Richd. Ellis & Mary Cocke Novr. 9th 1754. Signed by Wm Watkins Jr. as security.

Wm Daniel & Agness Markham May 15th 1751. Signed by Wm Daniel as security.

Nicholas Darwin & Elizabeth Jones. July 16th 1739. Signed by Jno Jones as security.

Jno Clement & Frances Booker Dec. 2d 1745. Signed by Edwd Booker Jr as security.

Richd Claiborne & Mary Hamlin Apl 17th 1755. Signed by Thos Claiborne as security.

Anthony Chishon & Mary Watkins Nov. 27th 1754. Signed by Andrew Wade as security.

Geo Booker & Sarah Cobbs. Octo 12 1749. Signed by Richd Booker as security.

David Holt & Betty Hall Octo 2d 1752. Signed by Robt. Munford as security.

Wm Childres & Keiturah Hawkins —— 1745. Signed by obliterated.

Leland Ward & ——a Jones Daughter of Richard Jones Novr 24th 1752. Signed by obliterated.

Robt Jones & Sarah Scott June 16th 1750. Thos (obliterated) as security.

Peter Jones & Sarah Farmer Feby 20th 1746. Clemb Read as security.

James Roberts & Susannah Ellis Nov. 19th 1750. Richd Ellis security.

Jno Royall & Elizabeth Worsham Decr 31st 1750. Stith Hardaway as security.

Wm Osborne & Elizabeth Tanner June 15th 1744. Richd Booker as security.

Gideon [illegible] & Sarah Miller Sept 4 1745. Jno Woodson as security.

Jno Maye[illegible] —— Spain June — 1753. Thos. Spencer as security.

Robt: Munfo[illegible] & Ann Brodnax Feby. 11th 1755. Saml —— as security.

Thos Lorton & [illegible]beth Moss (widow) June 3d 1745. Norvell Baskervyle as se[illegible]

Fred Spain & Mary [illegible]erts Mch 30th 1752. Nichols Booker as security.

Sampson Meredith & Sarah Stearnson Nov. 2d 1772. Jno Blanton as security.

Jno Booker to Phebe Worsham 1745-6 permission from Govr Gooch.

Francis Anderson & Edith Weldon July 9th 1742. Jas Scott as security.

Thos Spencer & Elizabeth J—— Sept 18th 1741. Jno Nash as security.

Thos Spain & Elizabeth Mayo July 25th 1754. Jno Mayo as security.

Thos Tabb & Rebecca Booker Sept. 27th 1735. Richd Booker as security.

Roger Thomson & Ann Ferguson May 2d 1750. Jeremiah Keen as security.

William Williamson & Martha Green July 13th 1750. Wm Booker as security.

Joel Watkins & Rhoda Gresham Jany 15th 1752. John Pride as security.

SOME VIRGINIA FAMILIES—MOORE, BERNARD, TODD, SPOTSWOOD, ETC.

The enclosed paper, jotted down in pencil by my father on the middle back fly-leaves of an old book, and the leaves then folded over, was discovered by me last July while smoothing out the leaves of the old book.

The paper contains an interesting statement of facts concerning several families prominent in Colonial Virginia; and as a number of these facts were unknown to me, they may be unknown to several descendants of the above families, who are readers of your QUARTERLY.

I have appended notes concerning some names found in the paper.

WM. WINSTON FONTAINE.

MONTVILLE, KING WILLIAM COUNTY, VA.,

June 7th, 1833.

The following notes on the Moore Family of Chelsea are written at the dictation of my kinsman, Colonel John Spotswood Skyren,[1] a grandson of Colonel Bernard Moore of Chelsea.

WM. SPOTSWOOD FONTAINE.[2]

Colonel Skyren says:

The first of the Moore family, of Chelsea, King William county, Va., was Colonel Augustine Moore, born in England about 1685. On the paternal side he was of the same family of Moore as that of the Mayor of London in the time of King Charles II. His Moore coat-of-arms is still at Chelsea. His mother's maiden name was Grace Cresacre More; and she was a lineal descendant of Sir Thomas More, the author of *Utopia*.

Colonel Augustine came to Virginia when he was about twenty years old, and entered into the tabacco trade. He located a large body of land on the Pamunkey and the Mattapony Rivers, built a large warehouse, owned a great number of negroes, and by raising tobacco, indigo and other crops became immensely rich.

About 1710 he visited England, where he married an English girl of good family named Mary Gage. She died on the birth of her first child; and both she and her infant are buried at Chelsea in the same grave.

Colonel Moore secondly married the widow of Henry Seaton,

Elizabeth, daughter of Thomas Todd, of Toddsbury, and his wife, Elizabeth Bernard. Mrs. Todd was the daughter of Colonel William Bernard and his wife, Lucy, widow Burwell, a daughter of a Mr. Hickerson.

Thomas Todd and his wife, Elizabeth Bernard, had a large family; namely, Thomas, who went to Maryland; Richard, Philip and Christopher were the sons; the daughters were Anne, who married a Cooke; Lucy, who married, first, a man named O'Brien; secondly, John Baylor, and became the mother of Colonel John Baylor, of Caroline; Elizabeth, who first married a Scotchman named Seaton, and, secondly, my great-grandfather, Colonel Augustine Moore. Another daughter, whose name I do not remember just now, married a man named North.

My grandfather, Colonel Bernard Moore, and his first cousin, Bernard Todd, were named after their great-grandfather, Colonel William Bernard, who, my grandmother Moore used to tell me, was one of the greatest men in the colony during his time.

Colonel Augustine Moore had by his second wife, Elizabeth Todd, the following children:

1. Elizabeth, who first married a Mr. Lloyd; secondly, Colonel James Macon. She is Cousin Sarah's[3] great-grandmother.
2. Augustine.
3. Lucy, who married Speaker John Robinson.
4. Bernard, my grandfather, who married Anne Catherine Spotswood.
5. Thomas.

I saw much of my grandmother, Mrs. Anne Catherine Spotswood Moore.[4] She did not die until I was in my twenty-third year. She was a very intellectual woman, and well posted on almost every subject. She was a good genealogist, and took much interest in the history of her own family and that of her husband; and had a little leather bound book in which she had written many things concerning the Spotswoods and the Moores. Her grandfather was Dr. Robert Spotswood, who married Catherine, widow Elliott, the daughter of a Mr. Maxwell. She spoke

very affectionately of "dear old Colonel Moore," "Mother Moore" and "Sister Betty Macon." She would let me read this old book concerning my ancestors, and promised to leave it to me, as I also was interested in genealogy; but I never saw it after her death. She must have been very beautiful when young, for she was pretty as an old lady. After her death and that of my mother, in the division of the Chelsea household goods, my great-aunt's (Elizabeth Macon's) portrait fell to me, and I gave it to her grandson, Cousin Philip Aylett.[5] One of my Moore cousins shot an arrow at it once, for which he got a boxing from his father.

NOTES.

By Wm. Winston Fontaine.

1. Colonel John Spotswood Skyren was the second son of the Rev. Henry Skyren and his wife, Lucy, third daughter of General Bernard Moore and his wife, Anne Catherine (Spotswood) Moore, of "Chelsea," King William county, Va.

He was born in King William county (most probably at "Chelsea") during one of the latter years of the Revolution; and in August or September, 1855, died and was buried at his home farm, a mile or two distant from the Acquinton Church, of which his eloquent father had been rector for many years. My father and other members of our household attended his funeral; and I well remember the expressions of grief at his loss coming from his old friends and neighbors, high and low, and the wailings of his bereaved servants for their beloved friend and master.

Colonel Skyren was a fine specimen of the old-timed Virginia gentleman, courtly, chivalrous, honorable, broad-minded, cultured and witty, consequently respected and well beloved by all with whom he came in contact, old and young. He was about five feet ten inches high; erect and soldierly in appearance. He had the eagle nose, grayish blue flashing eyes and kindly smile of so many of his race. He was active even in old age, and had a light, springy tread. He never married. Why, I do not know, for he was a genial and pleasant companion and very popular with the ladies. The last time I met him at a party was in December, 1854; and he danced several cottillions with the pretty girls as partners, and wound up the evening with the belle of the ballroom in "The Old Virginia Reel." By invitation gallant Julian Carter, who was to fall at Malvern Hill, my brother Charles, who died in the flush of youth, and I accompanied the genial Colonel home. Of the four I alone survive; but through

the long years I have remembered that fleet joyous gallop through the crisp silent night and the light from the clear heavens, breaking in diamond flashes on the ice-cased forest limbs.

For many years Colonel Skyren was the commander of the Cavalry Regiment, composed of the volunteer troops from King and Queen, King William, Caroline, Hanover and other adjacent Tidewater counties. The troops my father commanded was in this regiment; and sometimes as I sit alone at even-tide in my chamber, far away from my dear native county, across the field of early boyhood's memory, with crest of flowing horse-tail and, sheen of glittering helmet, there rides a grey-headed knightly figure, very dear to me, the stately Colonel John Spotswood Skyren..

2. Colonel William Spotswood Fontaine, son of Captain William Winston Fontaine and his wife, Martha Dandridge, was born November 7, 1810, in Hanover county, Va., at the residence of his maternal grandfather, Nathaniel West Dandridge, Jr., a grandson of Major-General Alexander Spotswood, Colonial Governor of Virginia.

Captain William Winston Fontaine (1786-1816) was the great-grandson of the Rev. Peter Fontaine (1691-1757), rector of Westover Parish, and his first wife, Elizabeth Fourreau. The two intervening generations were Colonel Peter Fontaine (1721-177—), of "Rock Castle," Hanover county, Va., who married Elizabeth, daughter of William and Sarah (Dabney) Winston; and Colonel John Fontaine (1750-1792), of Henry county, who married Martha, eldest child of Colonel Patrick Henry, Governor of Virginia, and his first wife, Sarah Shelton.

Colonel William Spotswood Fontaine, July 5, 1832, married his second cousin, Sarah Shelton Aylett (1811-1876), daughter of Colonel Philip Aylett, of King William county, and his wife, Elizabeth, daughter of Governor Patrick Henry. Colonel Fontaine represented King William county in the Legislature in 1830 and 1840. About 1852 he was elected lieutenant-colonel of the King William regiment of militia. In 1853 he was ordained a minister of gospel.

Early in July, 1863, Federal troops, under General Getty, encamped on his plantation; burnt his barns, outhouses and fences; destroyed his crops; carried off, slaughtered or mutilated all his horses, mules, cattle, sheep and hogs, not leaving so much as a chicken on the place. The Federal sacked the family residence, destroying pictures and bric-a-brac, robbing and injuring the large library, breaking up the costly furniture, and finally making a large pile of the debris between the double doors connecting the two parlors, pouring kerosene on the heap, and were in the act of setting fire to it when a Federal officer, who was a gentleman, rushed into the building and with drawn pistol stopped this infamous act.

Mrs. Fontaine and her two young daughters were the only white persons at "Fontainebleau" when the Federals came, her sons being in the Confederate Army and her husband being absent on a visit to his sick

mother in Henry county. Trusting to the traditional courtesy and chivalry usual to American troops in the presence of women, even though hostile, and being under the immediate protection of the faithful men servants armed with axes, Mrs. Fontaine felt perfectly secure until the Federal troops, having set fire to the granaries and other outbuildings, made a rush for the mansion house with wild insulting cries and hootings. She and her two daughters then retired to a room in the third story, where they could lock themselves in if necessary. Soon the ladies heard the crash of furniture and marble slabs, the tinkle of broken mirrors falling to the floor; and as the soldiery warmed to their work of destruction, there ascended to the open doorway a frightful uproar of shouts, curses and discordant laughter, mingled with the beseechings and pleadings of the servants, male and female, to spare their master's property, and for God's sake to leave the house and not burn to death their beloved mistress and her two daughters. It was at this crisis that the aforementioned, gallant Federal officer appeared and drove the miscreants from the house. He, however, placed no guard around the premises, and during the remainder of the day Federal officers and soldiers, singly or in squads, entered the building, ransacked the library and all the rooms except the one which my mother and sisters occupied and quietly departed, bearing away such booty as pleased them. I narrate an incident of the afternoon of that day. "Aunt" Rachel, a favored maid-servant of my mother, both born the same year, and from early girlhood mutually loving one the other, as mistress and maid, saw a Federal officer pick up from the debris between the double parlors, the pile still reeking with kerosene, a small likeness of Governor Henry. She went up to him and requested that he give the likeness to her, as her mistress prized it highly, because it was her mistress's grandfather. The officer refused, saying: "You are telling me a falsehood. This is Patrick Henry." "Well, she is Patrick Henry's granddaughter; for she is the youngest child of his daughter, Mrs. Elizabeth Aylett." On further questioning her, the officer became convinced, and gave her the likeness, saying that it was a shame in General Getty not putting a guard around the place and preventing this handsome residence of a granddaughter of Patrick being pillaged.

That night the Federal troops built large fires on the lawn in front of the building; killed my father's cattle and sheep; dug pits and barbecued and slaughtered animals. A large number of the soldiery were under the influence of the wines and liquors taken from the plundered basement, and made night hideous. After midnight two of my father's trusted head men, *Braxton and Beverley, came to my mother and said

*Braxton and Beverley were the sons of "one negro boy named Beverley," given by Mrs. Elizabeth Macon to her grandson, Philip Aylett, in her will dated September 10th, 1779. See WILLIAM AND MARY QUARTERLY, Vol. XIV. (1906), pp. 265-'7.

that they thought it would be best for her and their young mistresses to go to "Pampitike." They stated that they had gathered in the lower part of the flower garden several of the men-servants armed with axes; and, that if their mistress and Miss Marian and Sallie would creep down the back staircase and through the rear door into the garden, and cross over to the back park and go up the ravine, leading to the big woods, they were certain that they could pass around the Yankee pickets, and get to Colonel Carter's before daybreak. The ladies agreed to this plan; and the trip of over two miles through the forest and tangled underwood was finished before daylight, and the wearied ladies were warmly received by the accomplished mistress of "Pampatike." Mrs. Susan (Roy) Carter, wife of Colonel Thomas Hill Carter, one of the most gallant and distinguished officers of the Army of Northern Virginia, and a near kinsman of its commander, General Robert E. Lee. General Lee was the grandson and Colonel Carter was the great-grandson of Anne Butler Moore, daughter of General Bernard and Anne Catherine (Spotswood) Moore, of "Chelsea."

After being a day or two at "Pampatike," my mother received a letter from General George Washington Getty, stating that he was sorry that some of his troops had committed such outrages at "Fontainebleau," and that if he could find out what troops they were that he would punish them. He added that Mrs. Fontaine should have asked for a guard to protect the property. General Getty's tent was pitched on a part of my father's plantation, not a mile from the family residence; and it seems strange that the flames and smoke from the many burning buildings were not seen nor the musketry, which slaughtered the flocks and herds, noticed. Was he both blind and deaf? It would appear so. This much we may affirm, if he heard the musketry and saw the smoke and flames he was blind and deaf to the instincts of the true soldier and gentleman. Moreover, his letter to Mrs. Fontaine shows that in trying to evade responsibility for the conduct of his troops, he lacked even the hardihood—we will not say manhood—of General John Pope. I am glad that blood does not entitle him to his Christian name; and am sorry that the laudable ambition of his father to instill high and chivalric principles in the General's soul, by giving him the name of a hero, was a failure.

General Lee's invasion of Pennsylvania, and massing of his troops at Gettysburg, and General Getty's visit to Fontainebleau were synchronous. Comment on the conduct of Confederate troops under Lee and Federal troops under Getty would be embarrassing to one of the sections of our common country, if the relative civilization and humanity of the North and South were compared.

Only five of the negro men—none of the women and children—of Colonel Fontaine yielded to the persuasive eloquence of the Federals on the beauties of freedom. The other servants—Virginians rarely used the

word "slave"—preferred to accompany their master to Henry county, Va.

Later in the war Colonel Fontaine sold his farm, and, prompted solely by patriotism, like his friend and neighbor, the Hon. Edmund Ruffin, invested in Confederate bonds. Colonel Fontaine died at Reidsville, N. C., June 13, 1882, and lies buried in the cemetery between his mother, who died April 7, 1875, and his wife, who died March 5, 1876.

3. "Cousin Sarah" is Mrs. Sarah Shelton (Aylett) Fontaine, wife of Colonel William Spotswood Fontaine, and daughter of Colonel Philip Aylett and his wife, Elizabeth Henry.

4. Mrs. Anne Catherine (Spotswood) Moore, according to a statement of her granddaughter, Mrs. Mildred (Moore) Campbell, was born about the close of the year 1725, and died in 1802, after passing her seventy-seventh birthday.

In Colonel Augustine Moore's will, dated 20th of January, she is thus mentioned: "But my will & desire is, that if my Daughter-in-law, Anne Moore, should be left a widow, she should have the Land whereon her Husband now lives & five hundred acres of that Land given him in Spotsylvania, during her life." We gather from the said will that Bernard and his young wife were then living at "Chelsea" with his parents. Thus Mrs. Anne Catherine (Spotswood) Moore, being an inmate of "Chelsea House" and in intimate daily intercourse with her husband's parents for several years, well knew their family history. It is unfortunate that the "little leather bound book in which she had written many things concerning the Spotswoods and Moores" has not come down to us; but the few facts that have come through her grandson, Colonel Skyren, are trustworthy and valuable.

5. "Cousin Philip Aylett" was the son of Mary Macon and her husband, Colonel William Aylett, of the Revolution. The latter was a son of another Philip Aylett and his wife, Martha Dandridge, oldest child of Colonel William Dandridge and his wife, Unity West. She through her father, Nathaniel West, Sr., and his father, Colonel John West, Jr., was the great-granddaughter of Colonel John West, Governor of Virginia 1635-'37. Governor John West was the son of Thomas West, second Lord Delaware, and his wife Anne, daughter of Sir Francis Knollys, K. G.

The portrait of Mrs. Macon spoken of by Colonel Skyren was sabred, and received three thrusts. When "Fontainebleau" was sacked by General George Washington Getty's troops, the above mentioned "Aunt Rachel" was one of the servants present in the parlor who were trying to stop the vandalism. She reported that the leader in this work, and the one who mutilated the portrait, was a lieutenant-colonel. Some of the Federal soldiers told "Aunt Rachel" his name, but she had forgotten it.

I possess another valuable relic taken from the pile of broken furniture, which these *patriotic lovers* of the Union had destined to be burned. It is a solid English walnut table with a thick and beautifully variegated

marble top. It was sent from "Braxted Magna," County of Essex, England, to Captain John Aylett (or Ayloffe), founder of the Aylett family in Virginia, who arrived in that colony in the year 1656." While at "Fairfield" many a noted guest has been seated by it, among whom were the brothers, Richard Henry and Thomas Ludwell Lee, both having married pretty Aylett girls; General Washington and his wife, a kinswoman of the "Fairfield" family; George Mason, Patrick Henry and the young Frenchman, Lafayette. My grandmother Aylett told me that while under her roof General Washington had cut watermelons on it, and after its removal to "Fontainebleau," I learn from my father, that your honored sire, Mr. Editor, before he was President of the United States, and Governor Gilmer, his Secretary of the Navy, once cut the luscious fruit on this old table. Among other carvers of the melon at "Fontainebleau" were the dear old Colonel Skyren and the Hon. Edmund Ruffin, who fired the first gun at Fort Sumter, and after the table's removal to Greensboro, N. C., the genial and lovable James Barron Hope, the poet, in line followed Washington. Two legs and the marble top of the old table were broken; but under the hands of a skilful cabinetmaker of Louisville, Ky., it has regained the beauty with which two hundred and fifty-four years ago it started from its old home in the County of Essex, England, to find across the broad Atlantic its young master located in Westmoreland county, Colony of Virginia.

The portrait of Mrs. Macon has recently been beautifully copied by Mr. John Elliott Jenkins, of Austin, Tex., a pupil for several years of the eminent French masters, Lefebvre, Courtois and Meissonier.

CARTER GENEALOGY.

By Dr. Joseph L. Miller.

(*Continued from page* 137.)

50. Raleigh[4] Carter (Thomas,[3] Edward[2]) married in Lancaster on September 5, 1765, Sarah Sharpe, with the consent of her guardian, Mr. James Ball.

Soon after this they removed to Amelia county, where he purchased large tracts of land, and in 1782 owned twenty-one servants. (See page 102, Vol. XVIII., WILLIAM AND MARY QUARTERLY.) He was a justice of the Amelia court in 1782 *et seq.* In 1788 his home fell in the bounds of the new county of Nottoway, and in 1792 he became high sheriff of this county.

The destruction of the Nottoway records and the family Bible during the war prevents the giving a complete account of Raleigh Carter and his descendants. After the death of his first wife he was married about 1798-'99 to Anne, daughter of William Crenshaw. He had issue by the first marriage six children, but the names of but two are preserved; and by the second marriage three children. They were: Raleigh Carter, Jr., married Susannah Stokes in 1805, and died without issue.

William Carter, born May 11, 1771; died November 18, 1817.

Charles Carter, born in 1800; died in 1883.

Frank Carter.

Lucy Carter, married a Mr. Osborne. No further data.

William Carter (Raleigh) married December 17, 1759, Jane Crenshaw, daughter of William Crenshaw, and sister of his father's (Raleigh Carter's) second wife. He was a captain in the Nottoway militia, and a man of great social prominence in Nottoway. Owned a handsome plantation about eight miles from the courthouse. They had issue as follows:

Sarah Everett, born October 29, 1796.

Mary Anne, born February 23, 1798.

Jane, born November 24, 1799.

Raleigh, born November 17, 1801; died, 1820.

William, born October 14, 1803; died 1817.

Ailcy, born September 21, 1805; died, infant.

Mildred Haynie, born February 15, 1808.

Ailcy Bond, born December 10, 1810.

Sharpe, born October 23, 1812.

Richard Thomas, born January 12, 1815; died, 1821.

Josephus, M. D., born December 4, 1816.

Jane Crenshaw Carter was born July 19, 1777, and died December 10, 1851.

Sallie Everett Carter (William) married on April 11, 1815, Colonel John Hughes Knight, a prominent planter and banker of Nottoway county, and for several years a member of the Virginia Legislature. He was a son of Woodson Knight, who married Patty Walton on June 18, 1781. She was a daughter of

General George Walton, of Prince Edward county, Va., said to be an uncle of George Walton, the Georgia signer of the Declaration of Independence.* Woodson Knight was a son of John Knight, Jr., and his wife, Elizabeth Woodson, of Goochland county. Colonel John H. and Sallie Carter Knight were the parents of seven children, as follows:

William Carter Knight, born June 28, 1818; died February 2, 1896.

Dr. Oscar Mansfield Knight, born October 23, 1823; still living.

John Hughes Knight, Jr., born October 25, 1829; still living.

George Walton Knight, born March 31, 1836; died May 27, 1857, of consumption.

Mary Pryor Knight, born February 27, 1833; died September 8, 1855, of consumption.

Lucy Knight, born ——; died ——.

Indiana W. Knight, born February 26, 1827; died March 24, 1844, of consumption.

I. William Carter Knight entered the old Randolph-Macon College in Mecklenburg in 1832. He remained here two sessions and then went to Hampden-Sidney, from which he was graduated in 1835. He then took a course in law and modern languages at the University of Virginia. Was admitted to the bar in 1839. He owned a fine plantation in Nottoway, and soon become known as a model farmer. In 1859 he purchased "Wilton," one of the old Randolph places on the James, and during the war furnished the Confederate government with nearly half a million dollars' worth of supplies from this plantation. After the war he removed to Richmond and began the manufacture of farm implements. He was one of the organizers, secretary, and later president of the Virginia State Agricultural Society and for several years editor of the *Southern Planter and Farmer*.

June 12, 1839, he married Elizabeth Guerrant Dickenson, a descendant of the Huguenot family of Dupuy, and they had issue: (1) Carter Dupuy Knight; died in infancy. (2) Robert Dickinson Knight, a member of the Richmond Howitzers during

* See QUARTERLY, XV., 279, for George Walton.

the war; married Alice Clay, of Chesterfield county, where he was a farmer after the war. (3) Jennie Wickliffe, married, first, Captain Henry Delaplaine Danford, and had one son, John B. Danford, an electrical engineer at Birmingham, Ala.; she married, second, Hon. Charles O'Ferrall, colonel in the Confederate Army, member of Congress for twelve years, Governor of Virginia four years, etc. They had issue: Frank Knight O'Ferrall, William Carter O'Ferrall, Mabel O'Ferrall and Helen O'Ferrall, wife of J. Taylor Thompson, a Farmville attorney; (4) and Emmett Carter Knight, a cadet in the Confederate Army, and was at the battle of Newmarket, where the cadets so gloriously distinguished themselves. After the war he married Josephine Mayo and had issue three daughters.

Mrs. Elizabeth G. D. Knight died September 1, 1849, and November 12, 1851, Colonel William Carter Knight married Cleverine Thomas, of a fine old New England family. They had issue: (5) William Oscar Knight, a planter in Louisa county. (6) Wray Thomas Knight, a retired merchant of Richmond, was postmaster of Richmond under Presidents Cleveland and Harrison. He married Louise Winne Talbot, and has three sons and two daughters. (7) Sarah Everett Knight married Charles Evans Wingo, founder of the Wingo, Ellett & Crump Shoe Company, vice-president of the American National Bank, member of the Virginia Legislature, etc. They have issue: Jane, Charles E., Jr., William Wythe and John Trevillian Wingo; and (8) Creed Thomas Knight, a Chicago merchant, married Jennie Aberdeen, of Canada, and has issue: Creed T. Jr., Grace, Cleverine and Jessie.

II. Dr. Oscar Mansfield Knight, born October 23, 1823, is still living at the old Knight home, "Claremont," Nottoway county. He was a member of the first class to graduate from the V. M. I. Later was graduated from the Medical College of Virginia, and was a captain in the Confederate Army. He married Ellen Todd, of Nottoway, and had one daughter, who married a Mr. DeCampe, of New Jersey.

III. Captain John Hughes Knight, Jr., born October 25, 1829, is still living at "Poplar Hill," his fine old place near Farmville. He was educated at Hampden-Sidney, University of Virginia and Columbia University, New York. He was a graduate in law of the University of Virginia, and settled at Farmville for the practice of his profession. Was a captain in the Confederate Army.

October 12, 1853 he was married to Cornelia A. Bland, daughter of John Archer Bland, Esq., and lineal descendant of Theodorick Bland, who settled the famous Byrd estate of "Westover." They were the parents of the following children: (1) Elizabeth Bland Knight. (2) Indiana Knight married Walter Grey Dunnington, of Farmville, and has issue: Sallie E., wife of Ashton Chapham, Lucie, James William, Walter Grey, Jr., and John Knight. (3) Lucie Everett Knight, married John Blackwood Strachan, of Lynchburg. (4) John Thornton Knight, a colonel in the United States Army, married Edith Young, daughter of General S. B. M. Young, once commanding general of the United States Army, now retired. They have issue: Alice Margaret, Sam Young, John T., O'Ferrall and Alexander. (5) Emmett Fitzgerald Knight, a Colorado merchant. (6) McIlwaine Knight, one of the proprietors of the Atlantic Importing Company, New York; married Ida Fleming and has two children. (7) William Barrett Knight, main division engineer on the Boston and Albany Railroad; married a Miss Johnson; and (8) Carter Coupland Knight, deceased.

Mary Anne Carter (William,[5] Raleigh[4]) married on December 18, 1819, Colonel Lydall Bacon, a prominent planter of Mecklenburg county, a descendant of the Bacon family of Lunenburg and New Kent counties, cousins of the Nathaniel Bacons famous in seventeenth century Virginia history. Colonel and Mrs. Bacon had issue, fifteen children, of whom I have not been able to obtain any data. Two of their grandchildren are Dr. Adam Finch and Mrs. Annie Harris Moseley, of Chase City, Va.*

* For Bacon Family, see QUARTERLY, X., 267-271.

Jane Carter (William,[5] Raleigh[4]) married on December 18, 1817, John Billips Oliver, a Nottoway planter and banker. He was a son of Richard Oliver, a soldier in the Revolution, and his wife Mary Jennings, daughter of William Jennings, who owned 10,000 acres of land about "Jennings Ordinary," in Nottoway. They were the parents of two children: Charles Haynie Oliver, who married a Miss Collier, of Missouri, and left one son, Collier Oliver.

Lucy Jane Oliver married in 1845 Dr. Richard B. Tuggle, of Prince Edward county. They settled at "Ravenswood," an old Carter place in Nottoway, given them as a wedding present. They had five children, as follows:

I. Susan Lacy, married April 30, 1861, Charles Frederick Goodwyn, Commonwealth's attorney of Dinwiddie for a number of years, and judge of the Nottoway court for twelve years. They had issue: (1) Richard Tuggle Goodwyn, married Sallie Brockenbrough Aylett, daughter of Colonel W. R. Aylett. (2) Peterson Goodwyn, married Emily Lucas, of Texas. (3) Lucy Oliver Goodwyn married Landon Jackson. (4) Wirt Goodwyn married Miss Chandler, of Vermont. (5) John B. O. Goodwyn, unmarried. (6) Mary Powell Goodwyn married Rev. Christian R. Kuyk, an Episcopal clergyman of Richmond. (7) Wilfred Lacy Goodwyn married Lydia Harris, of Richmond. (8) Susan Lacy Goodwyn, d. s. p. (9) Indiana Davies Goodwyn married Sparrell A. Wood, of Floyd county. (10) Bettie Harrison Goodwyn married John McSparran, of Pennsylvania; and (11) Lanetta Mason Goodwyn married Gordon Gillette Harris, of Culpeper county.

II. Richard Wilfred Tuggle, a tobacconist at Blackstone, married in 1867 Clare Morton Vass, daughter of James Cummings Vass, who was cashier of the old State Bank at Richmond for a great many years before and during the war. They have nine children: (1) Richmond B. Tuggle married Martha Berkeley, daughter of William R. and Martha Nelson Berkeley. (2) Susie Brooke Tuggle married Maxwell K. Duncan, son of

John and Sallie Branch Duncan, of Petersburg. (3) Florence Lacy Tuggle married Harry Stanard Beverley, of Blackstone, son of Robert B. and Virginia Epes McCormick Beverley. (4) Eleanor Thornton Tuggle married R. M. O'Ferrall, son of ex-Governor O'Ferrall. (5) Lucy L. Tuggle married Dr. Richard Adams Epes. (6) Dougles Longstreet Tuggle married Susie Armstrong, daughter of Edward and Sallie Irby Armstrong, of Mississippi. (7) John B. Tuggle married, first, a Miss Moore; second, Lucy Lee Joyner, daughter of Rev. Francis Joyner, of North Carolina. (8) Marie Vass Tuggle; and (9) James Wilfred Tuggle.

III. John B. O. Tuggle, a prominent planter of Nottoway, married Lucy daughter of Henry and Virginia Epes Mason, of Surry county. No issue.

IV. Indiana Everett Tuggle married Samuel D. Davies, son of Dr. J. B. Davies, of Petersburg, and great-great-grandson of Rev. Samuel Davies, second president of Princeton University, and one of the founders of Presbyterianism in Virginia. Mr. Davies was a lawyer, and opened and conducted for four years the first law course given at Richmond College. They had no issue.

V. Camilla Presley Tuggle married Robert Thornton, son of Richard and Priscilla Grammer Thornton, of Halifax. Mr. Thornton is general manager of the Richmond Paper Company. They have no issue.

Ailcy Bond Carter (William,[4] Raleigh) married on May 21, 1827, Dr. Henry Farmer, a wealthy planter and physician, of Owensboro, Ky. They had issue: Henry Hugh, born May 28, 1828; Virginia Carter, born September 14, 1829; William Lodowick, born July 22, 1831, and Mary Sharpe, born April 5, 1833. Their parents died when they were quite young, so they made their home with their guardian and uncle, Sharpe Carter, in Virginia until they attained their majority, when they returned to Kentucky. Virginia C. married William Betts, but no further data can be furnished by the Virginia connection.

Mildred Haynie Carter (William,[4] Raleigh) married on May 21, 1823, Dr. Jacob S. Swann, of Kentucky. They had several children, one of whom was a daughter named Amanda, who later became the wife of Mr. George Watt, Jr., a Richmond manufacturer. No other data furnished me.

Sharpe Carter (William,[4] Raleigh) was a graduate of Hampden-Sidney. He was a planter and lived at "Hickory Hill," Nottoway. July 24, 1832, he was married to Martha Anderson Craig Gregory, daughter of Richard Claiborne and Frances Craig Gregory, and granddaughter of the noted Rev. James Craig, of the Revolutionary period of Hanover Parish, Lunenburg county. They had four children, as follows:

I. William R. Carter, born April 22, 1833; died July 8, 1864, from a wound received at Trevillians. He was graduated from Hampden-Sidney in 1852 with the highest honors of his class. He later studied law, and at the beginning of the war was a member of the law firm of Howard & Sands, Richmond. He entered the Nottoway Cavalry as a private and was soon made colonel of the Third Virginia, and shortly before he was wounded was commissioned a brigadier-general.

H. Isabella Carter, born July 29, 1835, married May 26, 1860, Joseph B. Friend, a prominent Charlotte county planter. No data of their issue.

III. Josephine Carter, born November 29, 1837. September 27, 1858, she married Captain D. R. Stokes, of "Mt. Holly," Lunenburg county, a descendant of one of the oldest and best known families in Virginia. He was a captain of the Lunenburg Infantry in the Confederate Army, and after the war became the first treasurer of that county, which office he held until his death in 1883. Mrs. Stokes married, second, on November 26, 1890, Colonel William J. Neblett, of "Brickland," Lunenburg. He was a lawyer and planter, and represented his county in the Legislature at one time; was a nephew of the celebrated Richmond lawyer, William J. McFarland, who had the honor of entertaining the Prince of Wales in his home when he toured this country. Captain and Mrs. Stokes had issue, seven children:

1. Terry Stokes, married Annie B., daughter of Major Thos. Bond, of Petersburg, and has one daughter, Annie Bond Stokes.

2. Martha Craig Stokes, married Peyton G. McCabe; no issue.

3. Richard Carter Stokes, of Lynchburg, married Lillie A. Lee, daughter of John A. Lee, of Lynchburg—one son, R. C., Jr. R. C. S., Sr., is a colonel on the staff of Governor Mann.

4. David R. Stokes, Jr., died in 1902, unmarried.

5. Isabella Overton Stokes, married E. H. Conquest, of Accomac county.

6. Irby Stokes, unmarried.

7. Susan Jones Stokes, married John A. Suiter, of Garysburg, N. C., and has issue: John A., Florence Carter and Overton Stokes.

IV. Sophronia Carter Stokes, born January 26, 1841; died January 29, 1843.

Dr. Joseph Carter, born December 4, 1816; died in 1890, was the youngest son of William and Jane Carter. He was graduated from Hampden-Sidney and later took his degree in medicine from a college in Philadelphia in 1843, after which he settled in Lunenburg as a physician and planter.

His daughter writes that he saw hard service in the Confederate Army as an officer under General Chalmer in General Forrest's command.

December 19, 1838, he was married to Martha A. Stokes, daughter of Allen Stokes, of Lunenburg county. They had issue a daughter, Mattie, who married on October 28, 1868, Robert Spencer, of "Aspen," Charlotte county. They have issue: Robert S., Mattie Carter, Joseph Carter, Sallie Bouldin, Thomas E., Mamie V., Isabell F. and Sharpe.

Dr. Carter's first wife died, and about 1852 he removed to Panola county, Miss., where he married in 1854 Emma Jones, and had issue: William Fanning, who was a planter, clerk of the County Court, etc. He married Lolie Poitevent of an old French family in New Orleans, and had issue: Joseph, Virginia and William.

Katharine Carter, born 1859, married, first, David Craig, and, second, a Mr. Patterson. Has four children.

Charles Haynie Carter, born in 1800; died in 1883, was the eldest son of Raleigh Carter and his second wife, Anne Crenshaw. He inherited the old Carter home in Nottoway, and lived there in considerable style. He married, first, in 1825, his cousin, Mary Carter Coleman, daughter of Henry Coleman, of Halifax, and his wife, Nancy Oliver, of Roanoke county. They had issue, seven children, as follows:

I. Annie B., married Captain Ellsworth Howsen, first cousin of General Winfield Scott.

II. Wesley, married his first cousin, Nancy Carter, and had issue: (1) Henry Coleman, (2) Sallie Hardaway, (3) Charles Oliver, (4) William, (5) Mattie and (6) Raleigh.

III. Rebecca, married, first, Armistead Bruce; second, Edward Stokes. No issue by either marriage.

IV. Mildred, married Dr. Robert Hudson, and had a son, Charles Carter Hudson, who married Jane Vaughn, of Lynchburg, and had a daughter, Mildred Bruce Hudson.

V. Asa Oliver Carter, married in 1867, Maria Sue Crafton, of Prince Edward. They have issue: (1) Mildren Haynie, married Charles E. Borum, and has issue: Elbert Carter, Charles, Haynie, Florence, William Bernard, Asa, Louise, Robert, Jeffres and Walter. (2) Mary Coleman, d. s. p. (3) Charles William, married Rosa Hubbard, and has issue: Shirley, Sharpe, Hill and Katharine. (4) Wrenne Carter, d. s. p. (5) Kate, d. s. p. (6) Bernard Hufft. (7) Clara Vass, d. s. p. (8) Sallie Oliver, married Thomas Whitehead, an Amherst attorney, and has issue: Asa Carter and Kate Carter. (9) Lucy Ellsworth, married Wade H. Moseley, of Lynchburg, and has issue: Ellsworth Carter.

VI. Thomas Carter, married Sallie Gilchrist, of Como, Miss., where he was a professor in a college. They had issue: Mary,

married William Swope; Annie, Charles and William—all of Panola county, Miss.

VII. Katharine Carter lives at Blackstone, unmarried.

Charles Haynie Carter married, second, Mary F. Hatchett, of Lunenburg. They had issue: two children:

VIII. Claude Lewellen, unmarried; lives at Blackstone.

IX. Haynie Hatchett, unmarried; lives at Blackstone.

Francis Carter, born in 1802, youngest son of Raleigh Carter and his second wife, married Jane Lee, and had issue: Bettie and Sidney Lee, both of whom died young, and Nancy, who married her first cousin, Charles Wesley Carter.

LANGLEY FAMILY.

This family begins in Virginia with William Langley, of Lower Norfolk county. According to a land grant, he was residing in Virginia in 1656, and was probably born about 1620. He lived on Tanner's Creek, near Norfolk, and died intestate about 1676, when his widow, Joyce, was one of a jury of women to examine Joane Jenkins on the charge of being "familiar with evill spiritts and useing witchcraft." She, Joyce Langley, married, secondly, William Clements, and died before April 12, 1680. According to her deposition, she was born about 1621. They had issue: (A) *William,* (B) *Thomas,* (C) Lemuel, to whom a cow calf was given by his godfather, Colonel Lemuel Mason, in 1653, and of whom there is no further record.

A.

William Langley is spoken of as the "eldest son of William Langley, deceased." He married Margaret Thelaball, daughter of James Thelaball, a rich and prominent French emigrant, by Elizabeth Mason, daughter of Francis Mason and sister of Colonel Lemuel Mason, who for many years represented Lower Norfolk county in the General Assembly. William Langley lived

on Tanner's Creek, was a justice of the peace in 1699, captain in 1708 and a member of the House of Burgesses in 1715. His will was dated July 13, 1715, and proved May 16, 1718. He names issue: (1) *William,* (2) *Nathaniel,* (3) *James,* (4) *Abraham,* (5) *Jacob,* (6) *Jeremiah,* (7) Margaret, married Jacob Johnson, Jr.*; (8) Joyce, married, first, Lemuel Thelaball; second, John Wishart; (9) Elizabeth, married George Ivy, and had William Ivy.

A. 1.

William Langley, eldest son, was a sawyer by trade, and died before 1729. He married Sarah, probably the daughter of William Vaughan, and had issue: (1) Joseph, whose will was proved in 1750, and names daughter Frances and a child unborn; (2) Elizabeth; (3) Jonathan, probably Jonathan Langley, "shoemaker of Norfolk Borough"; (4) William, who died about 1753, and (5) Sigma, who married Samuel Bartee.

A. 2.

Nathaniel Langley married Sarah, and his will, dated August 4, 1742, was proved in Norfolk county. It mentions the following children: (1) Absolom, oldest son, to whom his dwelling plantation (married Elizabeth Scady in 1752); (2) Joyce; (3) George; (4) James; (5) *Moses,* who made a deed in 1759, and who was probably father of Thomas Langley, of Caswell county, N. C. who had a son Moses;† (6) Kezia, who died unmarried in 1755; (7) Joyce, who died unmarried in 1742.

Of these James Langley married Anne (Snayle), and there is a deed, dated August 9, 1773, from James Langley, of Nor-

* From this marriage descended Edward Wilson James, deceased, late editor of the *Lower Norfolk Antiquary.* (Obituary in *Virginia Magazine of History and Biography,* XV., p. 229.)

† The clerk of Caswell county, N. C., writes: "There was a Thomas Langley, who lived here about 1800, whose property was divided by commissioners and allotted as follows to-wit: Alsey Tanner, Moses Langley, Mary Brandon, Wiley Langley and Joseph Langley." Alsey Tanner was a daughter of Thomas Langley, and she married Matthew Tanner and was great-grandmother of William H. Cobb, of Elkins, W. Va.

folk, shipwright, and Anne, his wife, to James Taylor, of Norfolk, gent., for a tract on the southwest side of Tanner's Creek devised by the last will of Jeremiah Langley, deceased. They had issue (Bible register): (1) James, born 1754; (2) William, born 1757; (3) Joseph, born 1764; (4) Sarah, born 1766; (5) Margaret, born 1769; (6) Thomas, born February 23, 1775. James Langley died in 1797, when his estate was appraised in Norfolk county.

Of the sons of James Langley, James, born in 1754 died in 1808, when his estate was appraised in Norfolk county. He had issue: (1) Jonathan;‡ (2) George; (3) Henry. There is a deed 18th January, 1812, whereby they sell to William Langley one-half of an undivided tract on Tanner's Creek, formerly property of James Langley, deceased. William, born in 1757, married Margaret, and had (Bible register), (1) Nancy, born 1780; (2) James, born 1783; (3) Sukey, born 1787; (4) Robert; (5) Mary, born 1801.

A. 3.

James Langley made his will in Princess Anne county in 1751, and names his daughters Anne, who, in 1750, married Dr. George Roviere, and Frances.

A. 4.

Abraham Langley died about 1721 without issue.

A. 5.

Jacob Langley, of Princess Anne county, who made his will in 1740, but left no issue.

A. 6.

Jeremiah Langley, whom his father, William Langley, mentions as "his most dutiful son," and to whom he left his manor plantation of 400 acres. He died in 1747, leaving no issue, but dividing his extensive estate among his nephews and nieces.

Thomas Langley, son of William Langley, the emigrant, mar-

‡Jonathan Langley married Susan Livingston Cox, died in 1825, and had Charles Langley, who married Portia Virginia Deming, and they were parents of the gifted writer Mrs. Kate Langley Bosher, wife of Charles G. Bosher, of Richmond, Va.

ried Elizabeth Thelaball, sister of his brother William's wife. He died after 1717, leaving issue: (1) Captain Lemuel Langley, (2) John, (3) James.

Of these, Captain Lemuel Langley was a large land owner, and wore his silver hilted sword. He appears to have married, first, Margaret; second, Mary. His will dated in 1748, and his wife Mary's in 1761. They had: (1) Thomas, of Princess Anne, who married Bridget, and had Mary, Thomas, who died s. p. in 1784; Willis, who died s. p. in 1806, and Elizabeth married Land; (2) Lemuel, who married Sarah Butt, widow, April 26, 1768 (marriage bond); died in 1772, leaving issue: Lemuel, John, Mary, Ann; (3) Samuel, of Norfolk Borough, joiner and cabinetmaker, who had Nathaniel; (4) Willis, shipwright, who married Apphia Wilson, daughter of James Wilson, Sr., and Dinah, his wife (she married, secondly, in 1767 James Webb), and had Letitia, who married Rev. James Pasteur;§ Willis Wilson, James, who died d. s. p; Josiah, Mary and Euphan; (5) Nathaniel, of whom no record; (6) Frances, married Wilson, and (7) Mary.

B.

Thomas Langley, brother of Captain Lemuel Langley (son of Thomas) resided also in Norfolk county, where his will, dated August 29, 1746, was duly approved, and names children: (1) Thomas, whose will is dated July 20, 1750, and names wife, Katherine and children Thomas, Tabitha, Mary, married James Bryant (marriage bond July 4, 1756), John and Katherine, who married John Dunnock; (2) Lemuel; (3) John; (4) George; (5) Margaret, married Smith; (6) Mary, married Milner; (7) Abigail, married Hargrave.

This family of Langleys appears from their family names—William, Thomas, Nathaniel, etc.—to be connected with that of Richard Langley, of Lincoln's Inn, gent., son of Roger Langley, of Shrewsbury, in Shropshire. (See Langley's *Pedigree of the Family of Langley.*)

In York county, Va., resided Captain Ralph Langley, who was justice of the peace, Burgess and sheriff, in 1657 and 1661. He lost his house by

§ For Pasteur Family, see Quarterly, III., 274, 275.

fire, and by way of reimbursing him his fellow justices solicited from Governor Berkeley his reappointment, in 1666, as sheriff in the following letter:

R. Hon^ble: Wee, the subscribers considering y^e great losse lately susteyned by Capt Ralph Langley by fire having all his dwelling house & therein (as wee are credibly informed) the great part of his household Goods & provisions burned & conceiving yet ye sheriffs place may be a great help to him in this his p^rsent sufferinge condition, after M^r Edmond Petters by y^r Hon^r appointed thereunto beinge this day admitted & Sworne high Sheriffe of York County for y^e yeare Ensuing, wee doe hereby recomend & make it our humble suit to yo^r Honou^r yat if itt bee not already disposed if y^e said sheriffs place may be conferred on y^e s^d Capt. Langley y^e following year w^ch besides the ffavour to him will be a further oblidgent of service upon Right Hon^ble yo^r Hon^rs most humble Servts

WILLIAM BARBER	JOSEPH CROSHAW
DANIELL PARKE	ROBERT BALDREY
DANIELL WYLD	EDMOND PETTERS

It is most willingly granted.
WILLIAM BERKELEY

In 1661 he married Mary, widow of Robert Lewis, who had two daughters, Mary and Alice. The following extract is from a letter which was proved March 26, 1683, as a will:

Hon^rd S^r Be pleased to give order when it shall please the Lord to call me to him in mercy through the merritts of my Blessed Saviour Jesus Christ that I may be decently put into my grave at the common Buriall place here in the old fields and give order to be pailed in mine and my wife's grave and what shall remain my Lawfull debts & funerall charges being paid pray dispose as followeth:

	lb
Imp^rs the good woman that shall dress me and put me in my coffin	01:00:00
Item: to him that shall make my coffin	00:10:00
Item: to him that shall make my grave	00:10:00
Item: to Alexander Anderson	01:00:00
	03:00:00

And I beseech y^r hon^r that there be noe more charge at my funerall then what the plantacon will afford onely 6 gall of strong Drink.

And what shall remayne when all above is discharged:

	lb
Imp^rs to M^r Daniell Taylor	05:00:00
To M^rs Stoner for her charitie in my weaknesse	03:00:00
	08:00:00

Item of the rest to Capt. Stannup's children one third.
Item: to Thomas Carye my servant one third.
Item: to the Poor & church of this parish one third.

The early settlement called "York" (originally Sir John Harvey's plantation) was in the neighborhood of the Moore house, and the burial place referred to was the churchyard at Temple farm, where the York church was then standing. It was not till 1691 that fifty acres of Benjamin Reade's property was set apart and named Yorktown.

Captain Langley probably belonged to the Langleys of Lancashire, with whom the name Ralph was quite common. Langley, *Pedigree of the Family of Langley.*

LUDWELL FAMILY.

One of the most prominent colonial families in Virginia was the Ludwell family. They came from Bruton in Somersetshire, England. Thomas Ludwell of Bruton, in Somersetshire, married Jane, sole daughter of James Cottington of Discoe in the parish of Bruton, aforesaid, who was son of Philip Cottington and Jane his wife. James Cottington was brother of Philip, Lord Cottington. (See Chancery Proceedings—Charles I.—Bills and Answers I. 85 Bundle. *Ludwell* vs. *Worsley.* WILLIAM AND MARY QUARTERLY I., 110) Bruton in Somersetshire is a small town of about 3,000 people in which the chief buildings are the beautiful old parish church, the free school, and the hospital for old people founded by Hugh Sexey in 1618. These have the delightful odor of antiquity about them which is very attractive to visitors.

The following is from *Monastic Remains of the Religious Houses at Witham, Bruton and Stavordale, Com. Somerset,* collected by Sir Richard Colt Hoare, Bart., Anno 1824, Crokers, Printers, Frome.[1]

Bruton.

I now come to the principal place in this district, described formerly by the name of Briweton, and in more modern times by Brewton and Bruton, the latter of which is the general acceptation. Its importance gave title to the "Hundred of Bruton."

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[1] This extract was kindly furnished me by Dr. Frederick Stockwell, of Bruton.

In the records attached to this place, I cannot go beyond those of Domesday, which thus mention it.

Erneis tenet de Rogerio Briewetone. Godwyn tenuit T. R. E. et geldabat pro i hida, et i vrgata terra. Terra est ii carucataæ, ibi est i carucata cum III bordarii et molinus reddit XXX. denar.' Valuit et valet XXX solid.'

This Rogerius, above mentioned, was Roger de Courcelle, who also held Witham as before related.

The above lands held by Erneis could have formed but a small part of those at Bruton, being rated at only *one* hide, and *one* virgate.

Brewton or Bruton Abbey.

Austin Canons.

In the year 1252, Lanfrank of Milan, the first General of the Eremites of S. Augustin, sent some of them into England, to seek a dwelling for themselves, before they had been confirmed by Pope Alexander IV. Their *first* house was given to them in Wales, at a place called Woodhouse, which before had belonged to the family of Turbervill. Afterwards, Humphrey Bohun, Earl of Hereford and Essex, in the year 1253, gave them a House and beautiful Church in London, which still retains the name of Austin Friars. This order was established in many parts of England, and, amongst others, at *Bruton*, according to Tanner, but in Stevens' Supplement to Dugdale's Monasticon, I find no mention of *this* establishment.

The habit of these Friars is said (by Stevens) to have been a white garment, and a white scapular over it, when they are in the house; but in the choir, and when they go abroad, they put on, over all, a sort of coul, and a large hood, both black, the hood round before, and hanging down to the waist in a point, being girt with a leathern thong.

—*Stevens*, II., 215.

According to Leland (Itin. II., 45), this abbey was a place of monks *before* the Conquest, and founded by Algarus, or Almerus, Earl of Cornewal, but *after* the Conquest, a change took place in this Monastic Establishment; the ancient monks being replaced by regular Canons.

(Here follows Deed.)

This deed informs us that William de Mohun endowed a Priory at Bruton, with his manors at that place and at Bruham. He is stated by Dugdale, in his Baronage, to have been the *third* bearing the name of *William*, and he was buried within the Priory of his foundation.

Dugdale has preserved another deed relating to this Abbey.

(Here follows Deed.)

Extracts from the Public Records which relate to this Priory or Abbey.

Placita de Quo Warranto, Edw. I.

The Prior of Bruton was summoned to answer to the King, on what claims he held the Manor of Horseley.

The Prior of Bruton was also summoned during the same King's reign, to shew cause "upon what claims he held his Hundred of Bruton, which belongs to the Crown, and was alienated without the King's assent?"

We come now to more modern times, when the history of this Abbey or Priory became more generally known, and when more perfect records have been left of the internal state of it.

The Prior and Canons had these Rectories appropriated to them, and presented to the Vicarages:

Barnwell, with the chapels of Puxton and Churchill.
Westbury, with Priddy.
Milton Clevedon.
Shepton Montague.
South Petherton, with its Chapels.
Swell, Cutcomb, and Luxborough.
Minehead, Charlton Adam.
Chilthorne Domer.

They had the whole Tythes of the perpetual Curacies of Brewton with Brewham and Pitcombe appropriated.

20 Edw. I. The Church of Bruton was taxed at xl marks.

20 Edw. I. The Hospital of Bruton received a yearly pension of xx shillings from the parsonage of Banwell.

—Vide Archer apud Hemingford II., 607.

Annexed to the account given by Archer, is another by Strachey, in which this Priory is thus mentioned:

"Brewton, or Bruton, a Priory belonging to S. Martin, of Thnane, in Normandy.

"These Priories alien were suppressed when the warrs with France broke out temp. Hen. V. tho' sometime restored again which made William Gilbert, Prior in 1514, procure the Pope to turn it into a Monastery; but it continued not long after. Henry VIII. granted the scite of it, and the mannours of Bruton with its appurtenances in Wyke, Pitcomb, and Cole, Hengrove, Wilkenthorp and Harwood, to Maurice Berkley, who also, 37 Hen. VIII. held the Chapels of Brewham, Redlynch, Pitcomb, and Wyke, and in this family it hath continued to this time, being lately the residence of the Viscounts Fitz-Harding."

—Hemingford, p. 650.

Let us now consider the account of this place handed down to us by Old Leland, to whom (though not always accurate in his local topography) we stand much indebted for many curious records of "olden times."

"Briweton. As I came from north-west into it by south, lyeth at a this side Brywe river. There is a streat yn it from north to south, and another far fairer than that from est to west.

"The town is now much occupied with making of clothe.

"The Paroche Chirch and the Abbay by it, stands beyond the ryver, hard over the est bridge in Bruton. This bridge is of 3 archys of stone. Ther' is in the market place of the town a new crosse of 6 arches, and a pillar yn the midle, for market folkes to stand yn, begon, and brought up to *formix* by *Ely* laste Abbate of Bruton.

"The Abbay ther' was afore the Conqests a place of monkes founded by Algarus Erle of Cornwall. Moion (*i. e.,* Mohun) set Channons there sins the Conquest, and divers of the Moions were buried there. One Wylliam Gilbert of late tyme beyind Prior of Bruton, went to Rome and there procure'd first, that the name of the Priory at Bruton might be changed ynto an Abbay. This Gilbert beyng Abbate, did great cost in the Abbaye of Bruton in building, almost re-edifying it.

"The towne of Bruton to the marquet crosse standeth in Selwood (forest); and so doth the Abbaye on the other rise of the river.

"Goyng out of the town of Briweton, I passed over a stone bridge of three arches at the W. S. W. end of the town, and ther' cam a broket from north est into Briwe."

—Leland, Itin II. 74.

MANOR OF BRUTON.

The history of it will be comprized in a very few lines. It appears to have been in the hands of the Crown at a time when Algwms, Earl of Cornwall, founded the *first* Religious House. Since the Conquest, it came into the hands of the Mohuns, Lords of Dunster Castle in Somersetshire, who established regular Canons there. At the dissolution of the Monasteries throughout our Kingdom, *temp.* Henry VIII., the scite of the Abbey and its Lands were granted by that Monarch to Maurice de Berkeley, in whose family it continued till the year 1777, when it was purchased jointly by Henry Hoare, of Stourhead, Esq., and Richard Hoare, of Burn Elms, Esq., and settled on the present possessor, Sir Richard Colt Hoare, Bart.

Parish Church.—On coming out of Wiltshire on one side, and out of Dorsetshire on the other, the eye is immediately struck with the sudden change and superior excellence in Ecclesiastical Architecture of the churches in Somersetshire. Bruton is the first example—Evercruch the

second—and the stately Cathedral of Wells completes this line; but many other brilliant examples might be adduced in this county.

The exterior of the building presents a rich and lofty square embattled turret, with ornamental parapets, etc., and has a stately appearance. But the nave attracts general attention and admiration by its handsome ceiling of oak; but here, as on many other occasions, we have to lament the want of taste that decorated the chancel with such unseemly plaister work, so totally unaccording with the ancient architecture of the nave of the church.

TOWN OF PRUTON.

The town consists principally of one long street, in which the Hospital or Almshouse constitutes the only object worthy of our notice, and of which I shall give a detailed account.

The principal manufacture is that of silk, of which there are two very respectable establishments. This trade seems to have been established in early times, for Richard Layton, in a letter to Lord Cornwall, when he visited the different monasteries previous to their dissolution, mentions amongst the relics found in the Priory of Mayden Bradley, "Oure Lady's gyrdell of Bruton, red silk, wiche is a solemn relique sent to women travelyng, wiche shall not miscarie in partu."

Of the ancient Abbey, not a single stone remains above ground to testify its former site, which was to the east of the Parish Church, but there are several arms, devices, etc., dispersed about the town, and inserted in the walls of houses. I am not informed when this Abbey was taken down, but at a subsequent period, a more modern building was erected by the Berkeley family, near the spot on which the Abbey stood, and still retained the name of Bruton Abbey. In this house the family resided for many years, till it became the property of the family of Hoare, when the building (being incommodious and useless) was gradually taken down, and the handsome range of stables taken down in part, and converted into a residential House for the Curate of the Church. To commemorate the former existence of a Monastic Establishment at this place, the following Tablet was affixed Aº. 1824, to the walls of the house:

Hæc domus
E reliquiis
Abbatiæ olim de Bruton
Constructa,
Et ad usum ecclesiae
Nuper conversa
Anno 1822:
R. C. Hoare, Patrono.

HOSPITAL, OR ALMS HOUSES.

Hugh Sexey, Esquire, the Founder, is understood to have filled the Office of Auditor of Public Accounts, in the reign of King James I, and to have died about the year 1618.

During his life he conveyed to Sir Lawrence Hide, and other persons, as Trustees, "the Manor of Lyncombe and Widcombe, near Bath; two tenements at Berkeley, in the County of Gloucester; some lands and tenements at Bruton; the Manor of Langport Eastover; the Manor of Bullers Wanstrow; the Manor of Blackford, in the county of Somerset, and the Manor of Hackney, in the county of Middlesex, and all other his estates upon trust and confidence that the said Estates should be employed to such charitable and good uses as he should, by any writing or his will, appoint. That the said Trustees should employ, convey, and assure, the same Manors and Estates, and the profits thereof to such charitable and good uses as they should appoint, and to settle the same accordingly.

On the death of Mr. Sexey, there appearing no writing or will appointing, or in any measure directing the Trust, the Trustees made enquiry amongst his friends to what charitable use he was most inclined, that they might perform the same; and they were given to understand that Mr. Sexey, having been born in or near Bruton, had expressed an intention to erect an Almshouse or Hospital there for the relief or maintenance of some old infirm persons of honest life, and good reputation.

The Trustees then, in order to avoid the Penalties of the Statutes of Mortmain, and to take benefit of the relieving Statute of 39 Queen Elizabeth, made perpetual by 21 James I. (which enabled any one without the Royal License to found, erect, and establish any Hospital, and to endow the same with lands above £10, and not exceeding the yearly value of £200) resolved to avail themselves of that power, and conveyed away in fee farm the greatest part of the said Manors and Estates for the raising of a certain yearly revenue.

The Trustees then erected an Hospital on a part of the Estates at Bruton; which, with the Garden adjoining, they established to be forever an Hospital, and declared their intention of settling all the fee farm rents, revenues, and profits of the said Manors and Estates, being above the value of £10, and under £200, to be employed for the use and purposes of the same.

By Deed of Incorporation, dated 10th December, 1633, enrolled in the Court of Chancery, Sir Lawrence Hide and the other Trustees, accordingly founded and erected the said Hospital, to be thenceforth called The Hospital of Hugh Sexey, Esq. in Bruton.

In the year 1726 an addition was made to the Estates and Revenues by John Walter of Abbus Combe, in the County of Somerset, Gent. who, by his will, gave a Freehold Estate in parish, after the death of his two nieces Charlotte Penny and Honor Walter, unto the said trustees of Hugh Sexey and to their successors *for ever;* and the rents of that Estate have since been added to the General Trust fund, and applied accordingly.

Since the foundation of the Hospital, additions have been made from time to time to the number of objects of the Institution, and their allowances increased, according to the price of provisions, and the means of the Trust. The original number of objects was 12; viz., 7 old men, and 5 old women. The number of old men was afterwards increased to 8, and at the meeting of the Trustees in September 1812, there was an addition of *two* old men, making the number together ten.

The number of women, originally *five,* was from time to time increased to ten, to whom was added another, stiled the nurse, to attend the others during the time of sickness. A clause in the deed of Incorporation, having authorized "the raising of money to bind children apprentices, and afterwards, for stock for them, if it might be raised" the Trustees on finding their funds adequate to the charge, many years ago elected 12 boys into the Hospital, there to be maintained, clothed, and educated for *three years,* under the superintendence of the master, and afterwards to be apprenticed to mechanical trades.

Of these boys *four* are apprenticed out annually; having previously completed *three* years' education in the Hospital, and *four* others are elected in their stead.

The Parish of Bruton supplies *three* out of the *four* every year; and the hamlet of *Blackford,* the Parish of *Lyncombe* and *Widcombe,* and the Parish of Wanstrow (each in succession) supply the other boy.

The age of the boy on his admission, is generally about *eleven,* so that after *three* years education and seven years apprenticeship, he attains 21.

Previous to the yearly meeting of the Trustees, advertisements are inserted in the Provincial newspapers, for *Masters* for the boys, stating the *terms* on which they are to be apprenticed, requiring testimonials as to the character of the Master, and of his being a member of the Established Church; and from the various applicants the Trustees select the Master, who, from his character and trade, appears to be the most eligible. The Premium given with each apprentice, until about fifteen years ago, was only £12, but the Trustees, finding that, from its being so low, inferior mechanics only made application, who seldom had the means of instructing or even maintaining the apprentice, and who, in consequence, rarely served the full time of his apprenticeship, made an order for its increase, by which, at the end of the *first four years* of the term, the Master is entitled to receive a further premium of £10, (making in the

whole £22) if the master and boy are both living, and the master shall have conducted himself towards his apprentice to the approbation of the Trustees. This alteration in the terms has been productive of great benefit, and although there are always at the same period, 38 boys in a state of apprenticeship, there has been, of late years, seldom any matter of complaint between the masters and apprentices requiring the Trustees' interference.

The numbers at present in the Hospital, are

8 Old Men,
2 added in 1812,
10 Old Women,
1 Nurse,
12 Boys.

33

The allowance to *each* of the Men and Women, consists of a room in the Hospital, in which is a bedstead, a small piece of garden ground of about 12 feet square, a weekly sum of *six shillings* in money, a blue cloth cloak or gown, and woollen blanket (the two latter articles once in two years). The Men and Women are all elected from the town and parish of Bruton, from amongst the persons who have supported themselves without parochial assistance. It has been the practice of the Trustees, to elect the Boys from the largest families, having regard to the proper age; and to give a preference, when the children in a large family have been supported by the parent's earnings, without having received parochial relief; altho' the parent having received relief does not amount to an utter disqualification of the boy. Each boy, when elected, is provided by the Trustees with a suit of blue cloth, two shirts, two cravats, one pair of stockings one pair of shoes, a blue cloth gown and cap.

The *second* year, he is provided with two shirts and cravats, one pair of shoes, and the same in the *third* year; the gown and cap are found every *second* year by the Trustees; and such shoes and stockings as may be necessary beyond these allowances (which the master states to be about two pair a year) the master provides out of the weekly allowance, hereinafter mentioned.

Each of the boys when apprenticed, is provided by the Trustees with a suit of cloth, and another of fustian, a hat, one pair of new shoes, two pair of stockings, two shirts, with cravats, and the Holy Bible.

For the use of the boys the master is allowed *six* beds, and the following articles yearly: *six* blankets (or one for each boy every second year), 39 yards of sheeting, 6 yards for towels and table cloths, also writing paper, pens, ink, and slates.

For the support of the boys, and providing the articles beyond those furnished by the Trustees, he is allowed 7s. per head, or £4 4 0 weekly: and for himself, as school master, a salary of £42 in addition to his furnished apartments in the Hospital, and a good garden.

The weekly payments of the Charity are

10 Men at 6s. each	£3	0 0
11 Women (nurse included)	3	6 0
12 Boys, at 7s each	4	4 0
33 Objects of Charity	£10	10 0

Of the Estates originally settled, the Manors of *Hackney, Langport Eastover,* and the Estate at *Berkeley,* were sold off in *fee* many years ago, reserving only a small chief or farm-rent from each. From the remaining possessions of the Hospital, a sufficient revenue has arisen of late years to enable the Trustees to make an increase of the number of objects of the charity, to redeem the Land-tax charged on the *whole* Estates, to rebuild a part of the Hospital with considerable additions, and to defray the ordinary expenses of the Trust, which are,

To the 33 objects of charity within the House annually..... £546
For clothing, bedding, medical assistance, etc. .....
For apprenticing Boys .....
For providing a Chaplain for the daily service, according to the rites of the Church of England, in a Chapel annexed to the Hospital..
For the Master resident there-in .....
For the repairs of the Hospital and its buildings, and for the rates and taxes .....
For the management and superintendence of the Estates, holding courts, making renewals, collecting rents, fines, etc.....

The annual income is fluctuating, and depends on the number of Renewals.

The following Additions have been made to this Charity:—

In 1813, an addition of *two* was made, making the No. 35
In 1814, two more were added 37
In 1815, two more were added..... 39
In 1817, one boy added 40
In 1820, one boy added 41
In 1821, one boy added 42
In 1822, one boy added 43

Thus making the total establishment in September, 1822, amount to 43 Objects of Charity.

They also appointed a Master, and twelve poor aged Persons, 7 men and 5 women, as members of the corporation of the Hospital.

THE TRUSTEES, OR VISITORS, ARE (ANNO 1824).

SIR R. C. HOARE, BART.	Elected	1786
T. S. HORNER, ESQ.	do	1788
CHARLES KNATCHBULL, ESQ.	do	1797
SAMUEL RODBARD, ESQ.	do	1801
T. S. CHAMPNEYS, ESQ.	do	1801
HENRY HOBHOUSE, ESQ.	do	1803
T. S. JOLLIFFE, ESQ. (ob. 1824)	do	1804
SIR JOHN COXE HIPPISLEY, BART.	do	1807
JOHN PHELIPS, ESQ.	do	1807
THE EARL OF TLCHESTER	do	1808
WILLIAM DICKINSON, ESQ.	do	1809
THE EARL OF CORK	do	1813

Stewards	MESSRS. MESSITER.
Chaplain	REV. JOHN GOLDESBROUGH.
Apothecary	MR. SAUNDERS.
Master	MR. JOHN PARFITT.

It is probable that Jane, the wife of Philip Cottington, was a Berkeley, as she had a son Maurice Cottington, which was a family name among the Berkeleys, a branch of which resided at Bruton. Sir William Berkeley, Governor of Virginia, was son of Sir Maurice Berkeley and brother of Sir Charles Berkeley, of Bruton, in Somersetshire. According to the parish register Thomas Ludwell was a churchwarden in 1636, and he was also Steward of the Sexey Hospital. He had issue by Jane his wife (1) Thomas, born January 25, 1628; (2) John,[2] born May 5, 1631; (3) Edward, born July 5, 1635; (4) Eliza, born July 11, 1638; (5) James, born Febr. 15, 1640, died Sept. 10, 1643; (6) Margarite, born May 13, 1643; (7) Sarah, born May 29, 1648. There was still another child (8) Philip not mentioned in the Register. The death of the father of these children is thus recorded: "Mr. Thomas Ludwell, Discoe, buried July 7, 1657."

[2] John Ludwell patented lands in Virginia in 1663. He was probably this John, and died without issue.

Thomas Ludwell, the eldest son, was educated in the free school at Bruton, and patented 500 acres in James City County. As he calls himself "lieutenant," he may have served for a brief time in the army of Charles I. Upon the restoration of Charles II. to the throne of England in 1660, he was appointed Secretary of State in Virginia, under his cousin, Governor Sir William Berkeley. In this capacity he made frequent reports as to the condition of Virginia affairs to the Secretary of State in England which speak much for his ability.[3] When the parishes of Marston and Middletown were united in 1674, they were given the name of Bruton, and Thomas Ludwell was the most prominent parishioner. See Tyler, *Williamsburg, The Old Colonial Capitol.* When Charles II. granted away the whole of Virginia for thirty years to Henry Bennett, Lord Arlington, Thomas Lord Culpeper, and several others of his court favorites, he was sent by the assembly in 1675 as one of three commissioners to England (Col. Francis Morgan and Major-General Robert Smith, being the other two) to seek an abrogation of the patent. He probably drafted the papers, which were presented at that time, in which colonial rights are very fully and ably discussed. He was absent in England when Bacon's Rebellion broke out in Vir-Virginia, but returned soon after its close.

He did not live long, but died October 1, 1678, and was buried at his estate, "Rich Neck," near Williamsburg. As he never married, his property consisting of this estate and several houses at Jamestown went to his brother Philip, who survived him for many years. "Rich Neck," his country estate, was originally owned by Richard Kempe, Esq., who also filled the office of Secretary of State, and it appears that Sir Thomas Lunsford, who married Kempe's widow, was resident here at the time of his death about 1651. In 1727 Philip Ludwell, Thomas' nephew, placed a marble slab over his remains with the following inscription:

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[3] See "British Calendar of State Papers, Colonial—American and West Indies," 1660-1677.

(ARMS)

Under this Marble lieth the Body
of THOMAS LUDWELL Esq^r
Secretary of VIRGINIA, who was born
at Bruton in the County of SOMERSET
in the Kingdom of ENGLAND, and
departed this Life in the Year 1678 And
near this place lye the Bodies of RICHARD
KEMP, Esq^r, his Predecessor in y^e Secretarys
Office and S^r THOMAS LUNSFORD K^t
in Memory of whom this Marble is placed
by Order of PHILIP LUDWELL Esq^r
Nephew of the said THOMAS LUDWELL
In the year 1727

This marble was removed about fifty years ago to the churchyard in Williamsburg, where it may still be seen near the north church door.

About 1660 Philip, the brother of this Thomas Ludwell, came to Virginia, was captain in militia of James City County in 1667 and took the oath as a member of the council March 4, 1675. When his brother Thomas went to England as agent for the colony, he was deputy-secretary of State for two years. During Bacon's Rebellion, he was one of the most efficient supporters of Governor Berkeley. After Berkeley's departure from Virginia and death in England in 1677, Ludwell married his widow and became the head of the "Green Spring" faction. In 1677 Colonel Ludwell sued a former adherent of Bacon for spoliation, but he was given protection by the governor, Jeffreys, under the terms of his surrender. This excited the "rash and fiery temper" (which is spoken of in this connection), and Ludwell gave public expression of opinion, as reported) that Jeffreys "was a worse rebel than Bacon, for he had broke the laws of the country, which Bacon never did; that he was perjured; was not worth a groat in England, and that if every pitiful little fellow with a periwig that came in governor of this country had liberty to make the laws, his children nor no man's else could be safe in the title or estate left them." The quarrel was taken to the Privy Council in England which ordered Ludwell to be excluded

from the Council in Virginia. Jeffreys died, and Lord Thomas Culpeper came over to Virginia in 1681. He was a cousin of Ludwell's wife, and at the request of the whole council he appointed Ludwell a member. When Lord Howard of Effingham came to Virginia in 1686, he created a fee for the use of the State seal to land grants, and tried to increase the power of the executive. He was opposed by Ludwell and his friend, Robert Beverley, and the former was again removed from the Council by order of the King.

This dismissal only served to increase Ludwell's popularity and the Assembly sent him to England as their agent to petition relief. While he was in attendance at the Privy Council, King William came to the throne and Ludwell was successful in obtaining a favorable decision on most of the points involved. On May 7, 1691, the House of Burgesses voted him the public thanks and presented him with £250. Before this, on December 5, 1689, the Lords Proprietors of Carolina appointed him governor of Northern Carolina, and in 1693 of both North and South Carolina. He held office till 1694, when he was glad enough to retire from connection with the quarrels of that turbulent country. He continued in the Council in Virginia and was one of the first Board of Visitors of William and Mary College. About 1700 he went to England where he was living as late as 1711, and was buried at Bow Church, near Stratford in Middlesex County.

Col. Philip Ludwell had married in or before 1667, I. Lucy, widow of William Bernard, and before that of Major Lewis Burwell, and daughter of Capt. Robert Higginson.

Under, date Nov. 25, 1667, mention is made in the York County records of "Captain Philip Ludwell, who intermarried with the relict of Col. William Bernard, dec'd." Then on a tombstone at the Burwell homestead, "Fairfield," on Carter's Creek, Lucy Burwell, widow of Major Lewis Burwell, is described "as descended from the ancient family of the Higginsons," and as "y• only daughter of the valiant Capt. Robert Higginson, one of the first commanders that subdued the country of Virginia from the

power of the heathen."[4] By his union with Lucy Higginson, Ludwell had a son and a daughter, Philip and Jane, which last married Col. Daniel Parke, who, as Marlborough's aide, brought the news of the victory at Blenheim to Queen Anne and received her miniature as a token of her appreciation. He was a wild, turbulent man and was killed in a tumult excited by his tyranny in the Leeward Islands, of which he was governor.

Ludwell married II. Lady Frances Berkeley, widow of Governor Sir William Berkeley, who had been twice married. Her first husband was Col. Samuel Stephens, of Warwick Co., and her second Sir William Berkeley. She was a sister of Col. Alexander Culpeper, a cousin of Lord Culpeper. By Ludwell she appears to have had one child, who probably died early, and through this marriage "Greenspring," eight miles from Williamsburg and five miles from Jamestown, the residence of Sir William Berkeley, came to the Ludwells.[5] *Virginia Magazine of History and Biography*, I., 174-178.

Philip Ludwell, son of Philip Ludwell, and Lucy Higginson, his wife, was "born at Carter's Creek in the parish of Abingdon, in Gloucester County, Virginia, on the 4th day of February Anno Dom. 1672, and died January 11, Anno Dom. 1726-27." He was married "on the 11th day of November, being Thursday, Anno Dom. 1697 to Hannah, the daughter of Benjamin Harrison of Southwark parish, in Surry County, in Virginia, Esquire, and Hannah, his wife; who was born at Indian Fields in the said parish on the 15th day of December, 1678 and died April 4, Anno Dom. 1731." Like his father, this Philip Ludwell, took a distinguished part in the affairs of the colony. He resided at Greenspring, and was auditor, president of the council, rector of William and Mary College, and county lieutenant of James City County. He was buried at Jamestown, where a fragment of his

[4] This tombstone was erected by her Burwell grandchildren, and is rather queer for calling her by her first husband's name.

[5] Lady Berkeley was buried at Jamestown, where a fragment of her tombstone may yet be seen.

tombstone was seen by the writer some years ago, bearing the mutilated inscription: "* * * this marble * * * Philip Ludwell, Judge and * * * twenty-five years, both which offices he * * * Hon. * * * and * * * 1726." His wife's tombstone is also there, according to which she left surviving one son and two daughters. See *Virginia Magazine of History and Biography*, VII., 356. Issue of Philip Ludwell and Hannah Harrison three daughters and two sons, two of whom died in infancy: (1) Lucy, born at Rich Neck in Bruton parish in James City County, November 2, 1698, married Col. John Grymes of Brandon on the Rappahannock River in Virginia, and died November 2, 1748; (2) Hannah, born at Rich Neck, Dec. 5, 1701, and died at Stratford on Potomac, January 25, 1749. She married Thomas Lee, President of the council and had issue the five prominent Lee brothers: Richard Henry Lee, the orator, and father of the resolution for American Independence; Dr. Arthur Lee, the celebrated writer and diplomat; William Lee, diplomat; Francis Lightfoot Lee, signer of the Declaration of Independence, and Thomas Ludwell Lee, member of Congress. (3) Sarah, born at Rich Neck, July 29, 1704; died January 6, 1704-5; (4) Philip, born at Greenspring, January 19, 1706, died March 9, 1706. "He was a very pretty boy like his mother;" (5) *Philip*, born at Greenspring on the night of December 28 and 29, 1716, about 12 of the clock.

Philip Ludwell, son of Philip Ludwell and Hannah Harrison, was educated at William and Mary College, was a member of the council of Virginia, and like his father and grandfather, was a man of much distinction. He married Frances, the daughter of Charles Grymes, brother of John Grymes, of North Farnham Parish, Richmond County, and Frances his wife, daughter of Hon. Edmund Jennings, Secretary of State and acting governor. He died in England on March 25, 1767, and was buried at Bow Church near Stratford, and with his death the male line of the Ludwells became extinct. He left three daughters: (1) Hannah Phillippa, born at Greenspring, Dec. 21, 1737, and married Hon. William Lee, March 7, 1769, at St. Clement Danes. Issue

one son: William Ludwell Lee, who died without issue; (2) Lucy, , who married in 1769 John Paradise, Esquire who stood high in London literary circles and was son of Peter Paradise, Esquire, formerly English consul at Thessalonica. She returned to Virginia in 1805 and died there in 1814 intestate. During her latter years she became insane and was confined in the Hospital at Williamsburg. She had two daughters: (1) Portia, who died young; (2) Lucy, who married Philip J. Barziza, a Venetian count, and had two sons, one of whom, Philip J. Barziza, Jr., came to Williamsburg, married Cecelia Belette, and had ten children. The last was known as Decimus Ultimus Barziza. Another of the children, Miss Hannah Phillippa Barziza, died not many years ago in Texas. (QUARTERLY VI., 58; *Lee of Virginia,* 127-130) John Paradise was a friend of Samuel Johnson and was one of the Essex Street Club of London.

There seems some discrepancy in the arms attributed to the Ludwells. On the tombstone to the joint memories of Thomas Ludwell, Richard Kempe and Sir Thomas Lunsford, now in Bruton Churchyard, Williamsburg, the arms appear: On a bend three eagles displayed between two leopards faces. This was the representation also on a fragment of the tombstone of the 2d Philip Ludwell as seen by the editor at Jamestown about ten years ago, but Philip Ludwell, the third, used for a book-plate: "Gules on a bend argent, between two towers or three eagles displayed sable." Motto: *I pensiori stretti ed il viso sciolto.* QUARTERLY II., 79.

GENEALOGY OF THE WALKERS.

James Walker, son of Edward Walker and Mary his wife (*née* Mary Daniel), was born April 5th 1726 old style. (They were of King & Queen County.)

Sarah Ware was born Jan. 31 1740 old style.

James Walker and Sarah Ware were married Feb. 20th 1763.

Sarah Walker died Oct. 14th 1817.

James Walker died Dec. 18th 1801.

Children of James & Sarah Walker (Madison County).

Betsy, born Oct. 22nd 1768; married George Scott March 7th 1789; died June 26th 1849.

Jane, born Sept. 28th 1775; married John Goss.

John, born Aug. 20th 1773; married (1) Fannie Alcott Porter Oct. 21st 1814; (2) Judith Wood July 20 1796; died July 27, 1838.

Lucy Moore, born Dec. 9th 1771; married Lumpkin; died Oct. 7, 1800.

Fanny, born June 16th 1780; died Dec. 1840.

John Ware, born Oct. 22, 1763; died Feb. 1764.

Lucy, born Jan. 28th 1765; died Feb. 1769.

Sally, born Oct. 24th 1766; died July 30, 1775.

James, born Oct. 15th 1770; died Feb. 2nd 1771.

Diana Ware, born Aug. 21st 1777; died March 31, 1814.

Mary, born Oct. 30th 1778; died April 1, 1801.

James E., born Aug. 13th 1783; died July 1803.

Children of John and Judith Walker.

Benjamin, born Sept. 1797; married (1) Fanny Blackwell 1852;, (2) Betsy Henshaw; died May 1867.

James Wood, born Nov. 27, 1798; married (1) Martha Porter July 1820; (2) Annie E. Eliason, Aug. 20 1840; (3) Fannie Brownley Nov. 27 1851; died June 20 1873.

Lucy; married Henshaw.

Sarah Ware; married Dr. Spotswood Taliaferro 1823; died 1834.

Joseph; married Taliaferro 1824; died 1825.

John Scott, born July 2, 1809; married (1) Susan Stringfellow Nov. 1828; (2) Mary Clark, 1873; died 1893.

(My grandfather J. C. W.)

Judith Wood was the daughter of John W. (who was killed at Trenton) and Mary his wife.

John Wood was the son of Joseph Wood and Judith his wife, his wife (*nᵉe* Judith Scott).

Copied from a Bible belonging to Mrs. A. J. Walters.

LETTER OF PRESIDENT TYLER.[1]

STRICTLY CONFIDENTIAL.

WASHINGTON, *September* 28, 1843.

Dr Sir:

I have read and now return the proof sheets of your proposed editorials, and while I admit them to be able I cannot but regard them as exceedingly injudicious. It is not our policy to make war on any particular person. To single out Mr. Van Buren or any other would justly suggest a conspiracy to defeat him. We should thereby ensure the bitter enmity of his friends. It is legitimate to argue that I am more available than Mr. V. B. or Mr. C[ass] and to prove, what the sequel will demonstrate, that the one you advocate is the only person the Democrats can elect, to compare the present condition of things with what it was in 1840 and to exhibit the benefits already secured to the country and those in prospective; but make no attack on any candidate, repell the attacks of their friends on us, state facts and let the people deduce conclusions. Maintain my Dear Sir a lofty attitude as you have heretofore done, deprecating divisions and placing the administration above the contests of the personal factions. Let others carry on the war. We should inculcate the doctrines of peace, opposing whatever is wrong on all sides. The people are awaking and the Democratic party will in the end avoid the hazards to which it [is] subjected by the contest of the factions, and what are they but factions.

I write you in haste. Keep your own councils and fear not.

yrs J. TYLER

Endorsed:

George Roberts Esq.
Editor of the *Times*,
Boston, Mass.

[1] The original is in the archives of the Massachusetts Historical Society, and the copy was kindly made for the editor by Worthington C. Ford.

BOOK NOTICES.

THE HARRISONS OF SKIMENO and particularly of Jesse Burton Harrison and Burton Norvell Harrison. Edited by Fairfax Harrison from material collected by Francis Burton Harrison and privately printed for them, 1910.

We have in this book an interesting account of a Harrison family, early settled in York County, Virginia, which in Jesse Burton Harrison, of Lynchburg, (1805-1841) and Burton N. Harrison, of New Orleans, (1839-1904) afterwards of New York, is worthily represented in the history of the country. Jesse Burton Harrison was a graduate of Hampden-Sidney College and Harvard University, and was a type of that large body of accomplished and educated men, who gave to the South such a commanding influence in the affairs of the Union, previous to the war of 1861. Burton N. Harrison was private Secretary of President Jefferson Davis, whom he greatly assisted in the arduous labor of administration by the remarkable resources of his brilliant and cultivated mind.

After the biographies of these two distinguished actors, the chief attraction of the book lies in the republication of the excellent discourse delivered in 1827 at Hampden-Sidney by Jesse Harrison on "The Prospects of Letters and Taste in Virginia," and the article written by his son, Burton N. Harrison, on "The Capture of Jefferson Davis." This is not to say that the rest of the book is without interest. On the contrary, the early chapters dealing with the origin of the family and its connections are full of valuable suggestions and introduce us to a religious sect of which we hear very little now, but whose curious ways of thought and action were mightily surprising to people two hundred years ago. The early Harrisons were Quakers and encountered much persecution till the Toleration Act of 1688. After that time, though no longer subject to interference, they lived a life which was almost apart from the current life of the country as a whole. There are some statements in the work to which I cannot subscribe, and two should certainly be noticed by a critic. Hening's *Statutes at Large* and other original authority fly full in the face of the author's statement that "down to the Revolution the

Quakers were not permitted to give evidence in any criminal cause, or serve on juries or hold any Office or Place of Profit in the Government." Probably this was the case in England, but it was not the case in Virginia, whatever Webb's *Virginia Justice* may say on the subject.

Nor is the statement in regard to the decline of York County applicable to the time of the colony, as the book says. The records of York County, which are perfectly familiar to the present writer, show an immense increasing development till the period of State independence, when the story is quite different. Cut off from all her ancient associations with England, shut out from intercourse with the West Indies, made subject to the Northern industrial system, Eastern Virginia suffered severely by the American Revolution, and there was a steady decline till about 1835, when, under the agricultural teachings of Edmund Ruffin, the country reasserted itself and entered upon a great and prosperous career, which the war of 1861 set back once more. Since that time, after a decline and stagnation of forty years, this part of the State is again improving and lands have largely increased in value.

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CONTENTS.

LEADERSHIP OF VIRGINIA IN THE WAR OF THE REVOLUTION ..... 219—261

OLDHAMS ..... 262—265

THE VIRGINIA LITERARY AND EVANGELICAL MAGAZINE, RICHMOND, 1818—1828, ... 266—272

WILLS OF THE MINGE FAMILY ..... 272—279

TYLER FAMILY OF ESSEX, SPOTSYLVANIA AND CAROLINE COUNTIES ..... 279—286

JONES OF PETERSBURG ..... 287—292

HISTORICAL AND GENEALOGICAL NOTES ..... 291—295

BOOK REVIEWS ..... 296—298

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LEADERSHIP OF VIRGINIA IN THE WAR OF THE REVOLUTION.

Part III.

A brief summary of the facts stated in the two previous articles may be useful, before proceeding with my third and last instalment. The early history of Virginia unquestionably shows that, though proud of her connection with England, Virginia was jealously regardful of her rights and liberties. No other colony had so early or so persistently insisted upon its control of the taxing power, and not one had exercised the taxing right as continuously or more uninterruptedly. Indeed, the exercise of the right began with the first assembly in 1619, before any other colony had been established on the continent of North America.

If we speak of "preludes" to the contest with Great Britain resulting in the American Revolution, Virginia in resisting Dinwiddie's imposition of the pistole fee, and in defying the Royal prerogative with the Two Penny Act, clearly antedated any action of Massachusetts. Richard Bland, in the assembly's address to Dinwiddie in 1753, and in his pamphlets in 1753, 1763 and 1766, covered the whole ground of the American contention to its most advanced phases: (1) That taxation and representation were inseparable; (2) That the General Assembly alone had control of the money of the people; (3) That Parliament could make no law affecting the internal government of the colony; (4) That the colony was connected with England

only by having a common king, and was wholly independent of Parliament, except so far as the external trade was concerned.[1]

Patrick Henry in 1763 used words at Hanover Court House that shows that he was in complete sympathy with these truths, for the King, on account of his disallowance of a measure necessary for the relief of the people, was charged in open court with having forfeited their allegiance. No language as bold as this came at so early a date from any other man, so far as any contemporary records show. The controversy over the Two Penny Acts convulsed the colony for fourteen years, from 1755 to 1769. and mingled with the agitations over the Stamp Act and the tea tax. The Virginia people came out victorious on the question, a result, which, as Lecky remarks, greatly encouraged their opposition to measures of the ministry.

In Massachusetts, the controversy over the writs of assistance, in 1761, involved merely the rights of a British citizen. It actively concerned only a very few persons for a very short time. The court decided adversely, and the question was practically surrendered by the Massachusetts people, the writs being freely executed down to the time of the Boston port bill in 1773. Doubtless the speech of Mr. Otis was high and noble, but the treasonable character imputed to it in modern histories is plainly an after thought and is attributable to the championship of John Adams, who declaimed about it in his old age.

[1] In his *Enquiry into the rights of the British Colonies* (1766), Bland went a step further than appears to have been ever taken officially. He said that Virginia was originally wholly co-ordinate with England, dependent entirely upon the Crown. After the restoration of Charles II., she submitted to the navigation act, because she could not help herself. She submitted, as the weaker vessel, to other acts, but "power" abstracted from right," he says, "cannot give a just title to dominion," and "though submitted to, because of a necessity, may be resisted whenever the sufferer obtains strength enough to do so." One fact in the history of the colony not adverted to by Bland, but which affords strong support to his contention, is: In April, 1624, the Virginia Company of London appealed to Parliament, but King James told the House of Commons that Virginia affairs were none of their business, and the petition was withdrawn.

One looks in vain through the Virginia journals for a declaration so positively submissive as the words[1] of the Massachusetts assembly the same year, (1761) doubtless written by Otis, its leading member: "Your excellency's message to both houses of the 16th inst. we have maturely considered, and beg leave to observe, that we are far from apprehending that a resolve of this court can alter an Act of Parliament. We are quite sensible, that if an act of this court should obtain the royal sanction, it cannot do it. Every act made by the general court or assembly of this province is voidable, because the same may be disallowed by his majesty. Every act we make, repugnant to an Act of Parliament extending to the plantations, is *ipso facto* null and void." After the passage of the sugar bill, in 1764, this doctrine of the supremacy of Parliament was again admitted, both by the Massachusetts assembly and James Otis; but in Virginia it was repelled not only by Richard Bland, but by the unanimous voice of the burgesses and councillors. In their resolutions and memorials, in 1764, the Virginia legislators not only denied the right of taxation by Parliament, but insisted that the sole right of making any laws for the colony was in the General Assembly.[2]

In reference to Grenville's double headed plan for extracting a revenue from the colonies, both branches of it was condemned in Virginia from the very beginning; but, while the Massachusetts people based their opposition principally on the sugar tax, the Virginia people, with clearer prescience, laid stress on the proposed Stamp Act. Both colonies took action so close together that the action of each was independent. But the action of Massachusetts was much weaker than that of Virginia, indeed, in many respects weaker than that of any of the colonies. In the first place, the sugar tax was not a measure sufficiently general in its operation to unite the colonies at this stage of the Revolution. This Palfrey, the New England his-

[1] Hutchinson, *History of Massachusetts Bay*, III., 463.

[2] See Journal of the House of Burgesses, 1761-1765, p. lv.

torian, admits,[1] and the act in itself contiued in existence after the repeal of the Stamp Act. On the other hand, "the Stamp Act," to quote Palfrey's language, "being simply the imposition of an internal tax, presented the question of right in a form cleared from all subtlety and qualifications."

Then the Massachusetts assembly, in October, 1764, did not claim the taxing power to be an exclusive right,[2] but a right at best which might be controlled by Parliament—an admission which Virginians never made. In their address to the House of Lords in December, 1764, the Virginia Assembly pronounced the taxing power an ancient and inherited right of "which they could not now be deprived."

After the passage of the Stamp Act, in 1765, there was no declared opposition for many months in any of the North ern States. Then when the Massachusetts assembly met in May, "the traditionary idea" of a united petition on the part of all the colonies occurred to James Otis. The House of Representatives of Massachusetts adopted a call for a Congress, but the early response to the circular was unpromising. The speaker of the New Jersey Assembly promptly replied: "That the members of that body were unanimously against uniting on the present occasion."

It was at this juncture that the news of Patrick Henry's resolutions at Williamsburg arrived in Boston. So unexpected were they that the people of the North were dazed and many persons in Massachusetts, including Otis, "upon the first surprise," pro-

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[1] Palfrey says: "It is by no means improbable that after all their remonstrances and complaints, they would have ended by reconciling themselves to the new restrictions on commerce, as they had done to the writs of assistance." *History of New England,* V., 313.

[2] Hutchinson says of the petition of Massachusettss: "The petitions from the other colonies were deemed inadmissible because they denied the authority of Parliament. That objection could not be made to this petition." *History of Massachusetts Bay.,* III., 114. Palfrey says that the Massachusetts petition "owned it to be their duty to yield obedience to the Stamp Act while it continued." *History of New England,* V., 279.

nounced the resolutions treasonable.[1] This state of mind, however, only lasted for a short time, and "from having been censured the spirit discovered in them suddenly received the plaudits of the whole country," and from that moment the Stamp Act Congress became a possibility and the repeal of the Stamp Act inevitable. The American people rose almost as one man. But it is certain as anything can be that without the stimulus from Virginia the Stamp Act Congress would have amounted to nothing. Even under the circumstances, the delegations from the different colonies which attended, that from Massachusetts especially, were so loyally constituted that its action was very tame. Palfrey declares that there could not well have been imagined anything "more dispassionate or inoffensive than the language of the papers" put forward by this body.

The determining incident of the Stamp Act episode, therefore, being unquestionably the Virginia resolutions of May 30, 1765, it follows that in a properly balanced history this incident should receive more attention than all the other incidents put together.

The defiant attitude assumed by Virginia was attested, not alone by the Stamp Act resolutions of May 30, 1765, and "the innovations" advanced by Bland in his pamphlets, but by the remarkable stand which was taken by one of the county courts. The policy adopted by the colonists in general was to embarrass England by loud protests and non-importation associations into repealing her obnoxious revenue laws, and such a thing as official resistance was never contemplated.[2] Everywhere alse except in Northampton County, Virginia, the courts either declined to transact any business requiring stamps, or proceeded to business on the plea that there were no stamps obtainable, and

[1] Hutchinson, *History of Massachusetts Bay*, III., 119.

[2] In the address of the Massachusetts House to Governor Bernard, Samuel Adams who wrote it says that "he knew of no declaration that the Stamp Act shall not be executed within this province. Declarations had been made by individuals that they would not use stamped paper." Wells, *Samuel Adams*, I., 72.

it was absolutely necessary to do so. In Northampton County alone the court met the issue face to face and deliberately set aside the Act of Parliament as contrary to the constitution. This proceeding of the court is so remarkable that a copy of the record should be given.

"Virginia—sc.:

"At a court held for Northampton County, Feb. 8, 1776:

"On the motion of the clerk and other officers of this court praying their opinion whether the act entitled 'An Act for granting and applying certain Stamp Duties and other Duties in America,' etc., was binding on the inhabitants of this colony, and whether they, the said officers, should incur any penalties by not using stamped paper agreeable to the directions of the said act, the court unanimously declared it to be their opinion that the said act did not bind, affect, or concern the inhabitants of this colony, inasmuch as they conceive the same to be unconstitutional, and that the said several officers may proceed to the execution of their respective offices, without incurring any penalties by means thereof, which opinion this court doth order to be recorded. *Griffin Stith,* C. N. C."

The significance of the action of the court does not stop with its negation of the Stamp Act. It reaches out and asserts the principle of the over-ruling power of the judiciary, which was not generally accepted in the United States till the era of written constitutions. But Virginia, in 1766, did have a constitution, though it was an unwritten one, and there is no reason why the courts might not have asserted their protectorship of it.

Nothing succeeds like success, and in the light of the Otis doctrine of the supremacy of Parliament in American legislative matters, King George III. was perfectly right in saying that the repeal of the Stamp Act was "a fatal compliance." As a consequence of successful resistance, when Parliament revived its policy of taxation, a much stouter feeling prevailed in Massachusetts. James Otis was soon laid aside, and a new leader, Samuel Adams, with principles more in accordance with the doctrines of Virginia, advanced to the front. The new revenue measure passed, in 1767, resembled the Stamp Act in affecting

all the colonists alike. Most people North and South wanted glass, painter's colors, paper and tea, and in this respect the tax differed from the Sugar Act, which particularly affected the shipping, rum making and the slave trade of New England.

It may be asked why it was that, during the eventful years which now succeeded, Massachusetts was selected by the British government as the object of punishment and vengeance instead of Virginia, who had exceeded her in asserting the principles of self-government? This question was even asked of the ministry in Parliament and by the continental congress in 1774, in its famous address to the people of the British colonies.

Undoubtedly, the matter which first directed the mind of the British government to Massachusetts were the outrages perpetrated by the mob, in Boston, after Henry's resolutions, on the property of several eminent individuals in that part of the country—such as Hutchinson, the lieutenant-governor, Andrew Oliver, the Stamp Act Collector, and the registrar of admiralty, and the comptroller of the customs. Nothing equal to these atrocities occurred in any other of the provinces. The actors were "persons of no note—the dregs of the population," and at a town meeting the inhabitants of Boston not only expressed abhorrence of them, but vainly organized a civil guard to prevent the repetition of their outrages. At other times, notably in the Boston massacre, in 1770, the same irritating and ir-responsible crowd[1] made itself felt and naturally increased the ascerbity of the British ministry.

Besides mob rule, which prevailed in Boston, there was the

[1] The leader of the mob, in 1770, was Crispus Attucks, a half Indian and half negro, who was killed by the British soldiers. And yet in spite of his having really disgraced the cause which he assumed to represent, the Massachusetts Legislature, in 1887, erected a monument to him and his fellow rioters against the protest of both the Massachusetts and New England Historical Societies, who declared the shooting to be the result of a brutal and revengeful attack upon the soldiers. History is full of such morbid perversions of human sympathy. The cause of anti-slavery has been disgraced by the effort to canonize John Brown, an outlaw and murderer.

marked difference in character between the governors of Massachusetts and Virginia. Bernard and Hutchinson were constantly exaggerating difficulties in Massachusetts to the ministry and secretly urging them on to unwise and extreme measures. In Virginia, on the other hand, Governor Fauquier sympathized with the colonists and exerted himself to induce the British government to believe in the honest and patriotic purposes of the people. It became the policy of the British ministry to disunite Virginia and Massachusetts by placating the one with new dignities and overaweing the other with soldiers and armed vessels. After the death of Fauquier, in 1768, the ministry discontinued the practice of sending over a lieutenant- governor in the place of a governor, and promised that no lieutenant-governor should ever be sent to Virginia again. For a successor they selected a peer of the realm—Norborne Berkeley, Baron De Botetourt—and dispatched him in a 74, with a coach of state. He thoroughly identified himself with the colony, concurred with his council in declaring writs of assistance illegal, and so conducted himself that the General Assembly at his death, in 1773, got the best sculptor in London, Richard Hayward, to carve a statue to his memory. "It would have been ill for American Independence," says Bancroft, "if a man like him had been sent to Massachusetts."

Another reason lay in the great number of educated Tories, who resided in Boston and Massachusetts, and who formed a strong party in favor of the British government. In Virginia there were no Tories until the crisis of independence arose, when the Tory party consisted mainly of the Scotch merchants (recent comers), and the sea-faring people in and around Norfolk.[1]

Next, Boston, as one of the towns of largest size and a center of the shipping interests, was naturally selected as the seat of the officers charged with the enforcement of the revenue act. These people were anxious for military support, and almost

[1] See note on the *Tories*, at the end of this article.

from the time of their arrival beset the government in England with appeals for ships of war and regiments of troops.

The influences which made for results were really due to the existence of a much stiffer British sentiment in Boston than elsewhere, and not to any superiority existing there in the patriotic fervor. This British sentiment, unlike that which prevailed in other colonies, stood firm against popular outcry and provoked collision, but the Americans who acted in more than one of these moments of excitement had no official authority, and in case of the Boston Tea Party, acted clandestinely, were disguised, and their names remain unknown to this day.

And yet if the Massachusetts contention for primacy is correct, the true heroes of the Revolution in Massachusetts were not James Otis or Samuel Adams, but these disguised, lawless, and unnamed leaders of the mob.

As a matter of fact these incidents in history were only occasions for movements and were not movements themselves. And in all the crises that arose (and four great crises may be distinguished) it was Virginia that led the advance, and furnished the solution of the difficulties.

I. CRISIS OF THE CIRCULARS.

The Stamp Act was repealed on March 22, 1766 and the new act imposing taxes on glass, lead, paper, painters' colors and tea received the royal approval June 29, 1767.

During this interval all the colonies, except Massachusetts, relapsed into a comparative quiet. There, however, the clashing influences to which I have already alluded kept matters in a ferment. The provincial assembly provided payment for the sufferers from the mob, but justly offended the Governor and English government by pardoning the ruffians who disturbed the public order and appropriated private property. On the other hand, Governor Bernard did all sorts of foolish things which the sensible Fauquier would never have dreamed of doing, and thereby brought upon himself and the government he represented new dislikes.

When the news arrived that Boston was to be made the headquarters of a new tyranny, it increased the suspicions and jealousies already entertained. And yet no protest was made until several months after the passage of the revenue measure. A petition to Governor Bernard to convene the Legislature having been rejected, the inhabitants of Boston assembled in a town meeting on October 28, 1767, and voted to forbear the importation and use of a great number of articles of British produce and manufacture. And yet the spirit of the people was by no means excited to any great extent. The 20th of November, the day on which the tax act was to go into effect, passed away quietly, and Otis went so far as to assert in a town meeting the King's right to appoint officers of the customs in what manner and by what denominations he pleased; and he advised the town to make no opposition to the new duties. Little headway was made with the non-importation association, and it is probable that the ferment then in Massachusetts would have subsided, had it not been for the *Monitor's Letters,* written by Arthur Lee, of Virginia, and the *Farmer's Letters,* published about the same time by John Dickinson, of Pennsylvania, which had a great circulation and carried conviction through all the thirteen colonies.[1]

The effect of these papers, which were published serially, upon public opinion in Massachusetts, can be readily followed. When the assembly met on December 20, 1767, the agreement not to import had little promise of success, and when Samuel Adams drew up a letter of instructions to the Massachusetts agent, in London, his cautious fellow-legislators would not ac-

[1] These letters were afterwards, in 1769, printed and published together in a pamphlet by William Rind, of Williamsburg. Its preface was by R. H. Lee, and it contained "The Liberty Song," by J. Dickinson and Arthur Lee. A copy of the pamphlet is in the Library of Congress. The first number of the *Monitor's Letters* was published in the *Virginia Gazette* for December, 1767. Though second only, in popular opinion, at that time to the *Farmer's letters,* Dr. M. C. Tyler, nevertheless, snubs them in his *Literary History of the American Revolution.* On the other hand, Mr. Ford in his *Letters of William Lee* refers to the "charm of Arthur Lee's style." I., 65.

cept it as it stood. They subjected it to a severe examination. Seven times was the paper revised; every word was weighed, every sentence considered, and each seemingly harsh expression tempered and refined. Parliament was still called "the Supreme Legislature." Upon the question of sending a circular to the colonies caution amounting to timidity was manifested. They first, by a large majority, voted down the proposition of writing to the other colonies, but two weeks later, evidently influenced by the published arguments of Lee and Dickinson, they, by the same majority, reversed their action and erased their former vote from the journals. Nevertheless, the circular, which was a very able paper drawn by Samuel Adams, still committed Massachusetts to an admission of the overruling power of Parliament.[1]

In the meantime, Virginia was moving with that unity and decision which distinquished her in all the proceedings at this time. Ill health and a desire to avoid a quarrel caused Governor Fauquier to prorogue the Legislature from time to time. But the discontent found expression in the *Monitor's Letters*, and in the resolutions adopted by meetings in different counties. Fauquier died March 3, 1768, and John Blair, of Williamsburg, President of the council, promptly summoned a meeting of the assembly on March 31, 1768.

When the assembly came together, it soon had before them the action of the counties and the circular of Massachusetts. In the shortest possible time protests were adopted against the Revenue law and these protests were not the work of one house only, and that a divided house, but represented the unanimous voice of both the council and the burgesses, and were couched,

[1] In John Adams', Diary *Works*, II., 343, is the following under date of August 17, 1774: "This morning Roger Sherman, Esquire, one of the delegates for Connecticut came to see us at the Tavern, Isaac Bear's. * * * He said he read Mr. Otis' Rights' etc., in 1764, and thought that he had conceded away the rights of America. * * * He would have been very willing that Massachusetts should have rescinded that part of their circular letter, where they allow Parliament to be the Supreme Legislature over the colonies in any case."

as Bancroft declares, in "bolder language" than the protests of Massachusetts. In the resolutions reported on April 7, 1768, by the illustrious Bland, chairman of the committee of the whole, the doctrine first announced by him that only the General Assembly could make any laws "regarding the internal policy or taxation" of the colony was strongly asserted. Peyton Randolph, speaker of the House of Burgesses, wrote a bold circular to all the colonies and John Blair transmitted the memorials to England. Upon their receipt, Lord Hillsborough, the Secretary of colonial affairs, expressed himself greatly amazed, especially at the action of the council and its president, who were appointed by the Crown.[1] The circular of Virginia admitted the authority of Parliament to make laws for preserving a necessary dependence of the colony and for regulating trade, but the use of any words like the "Supremacy of Parliament" was carefully avoided.[2]

The day after Massachusetts adopted its circular, the board of commissioners of the revenue, stationed at Boston, secretly sent a petition home for troops, and about the same time Governor Bernard wrote letters representing the province in a riotous condition, which, of course, was not strictly true. These complaints, however, aided by the memory of the former illegalities, were enough to induce Lord Hillsborough and his associates to make Massachusetts an example. The ministry tried to reduce her to terms by requiring the House of Representatives to rescind their circular; but the Massachusetts House encouraged by the recent action of Virginia, and the further endorsement of New Hampshire, New Jersey and Connecticut, disclaimed any responsibility for or control over the action of a previous house, and by a vote of 92 to 17, decided not to rescind the circular.

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[1] Rowland, *George Mason,* I., 134, 135.

[2] The House of Burgesses consisted, at this time, of 118 members, and yet Hildreth writes: "The Massachusetts House of Representatives consisted, at tihs time, of upwarld of a hundred members, by far the most numerous assembly in America." *History of the United States,* II., 543.

Bernard, thereupon, dissolved the assembly, giving notice that he would not call another.

Information now was received of the speedy approach of ships of war with regiments of troops, and a great deal of what now must be called bluster was indulged in by Samuel Adams and the people of Boston. Threats were freely indulged in that the troops were not to be allowed to land. But when it came to formally acting, they were exceedingly cautious as to how they committed themselves. The town meeting called a convention of the towns of Massachusetts, and in this assembly Samuel Adams and his associates adopted a wary and loyal petition denying vigorously any intention of using forcible means. When the troops arrived, they were allowed to land and quarters were assigned to them.

This surrender, on the part of the Bostonians, was in the opinion of many a most unfortunate affair. The British officers had no authority under the Act of Parliament to quarter troops in the town, and with the law on their side supporting a righteous cause, resistance was expected, even in England, from the Bostonians. In anticipation of hostilities stocks fell on the London market "as if war had been actually declared against France or Spain."[1] When the news arrived that, despite threats and loud talk, the Americans had done nothing, the government in England got the idea that they were sorry fellows and never would do anything. Emboldened by this success, the House of Lords petitioned the king in December to cause the principal actors in Massachusetts to be brought to England and tried for treason, and the Commons approved the demand.

Shortly after this, Lord Hillsborough sent a dispatch to Governor Bernard directing an inquiry to be instituted in pursuance of the resolutions of Parliament. And thus, a great issue was created which affected all the colonies; for if the fundamental principle of English liberty, the right of a trial by a jury of the vicinage, was to be abrogated, there was no safety for any man anywhere.

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[1] Ford, *Letters of William Lee*, I., 84.

Again it was Virginia, as in the days of the Stamp Act, that sprang to the front and met the crisis. The assembly convened May 8, 1769, and between the newly arrived Botetourt and the members all was courtesy. Nevertheless, the House promptly took into consideration the addresses and resolutions of the Houses of Parliament, met the declaration of Parliament by a direct negation of its own, reasserted the ancient right of taxation, maintained the lawfulness of a concert of the colonies, and particularly denounced the flagrant tyranny of carrying persons beyond the sea for trial. It consummated its work by communicating its resolutions and asking the concurrence of every legislature in America.

The effect was almost as great as Henry's resolutions of May 30, 1765. As Bancroft says, "Virginia set the example for the continent." Everywhere there was a rhapsody of praise, and soon the Virginia resolves were adopted by every colony on the continent, in many of them, including Massachusetts, word for word as they passed the Virginia assembly. Thus, Virginia led the way, and perfected united resistance against British encroachments on the *rights of person* in America, as she had already done on the right of property.[1]

In another measure adopted at this time, the primacy of the colony was manifested. Boston had attempted a non-importation agreement, but it had not been a success, either in that city or in other places in which it had been tried. Rhode Island hesitated and was bitterly denounced in some of the Northern newspapers as a plague spot. In Virginia, Lord Botetourt dissolved the assembly as soon as he heard of their resolves, and the members immediately repairing to the Raleigh Tavern, on Duke of

[1] Frothingham says: "There was no adequate step taken to meet the threatened aggression until the House of Burgesses of Virginia convened in May. This colony, in opposing the administration, was co-equal with Massachusetts in guilt or merit, but while the bayonet was pointed at the one, blandishment was devised for the other—it being a cardinal object of the government to divide the colonies, and thus paralyze their efforts." *The Rise of the Republic*, 233.

Gloucester Street, in Williamsburg, met in the long room called Apollo and signed an agreement drawn by George Mason and presented by George Washington not to import any slaves, wines or British manufactures.[1] The action of Virginia placed a continental stamp upon the policy of non-importation, and the puny child became a giant. Colony after colony, including Rhode Island, followed Virginia's example, and when it was adopted by North Carolina, it was said: "This completes the chain of Union throughout the continent for the measure of non-importation and economy."

John Dickinson, from Pennsylvania, author of the *Farmer's Letters,* in a letter to R. H. Lee, before the meeting of the assembly, indicated the controlling position held by Virginia among the colonies: "It is as much in her power to dishearten them as to encourage them." After the assembly, "The Brave Virginians" was a popular toast throughout New England, and Frothingham says:[2] "Well might there have been this gratitude; for Virginia united all the colonies to make common cause with Massachusetts, when King and Parliament laid a heavy hand upon her, and the presence of any army and a fleet attested that complete submission was decreed as her lot."

The far-reaching effect was to enlist, in behalf of the colonies, the complaints of the merchants of England who dreaded the loss of trade, and the government found it necessary to give up the idea of transporting the patriots of Massachusetts, who had voted for the circular, and on April 12, 1770, Parliament repealed all the taxes except the duty on tea.

II. Crisis of the Affair of the Sloop Gaspee.

The concessions obtained from the ministry and from Parliament constituted a great victory, but it fell short of what the

[1] After the signing of the Association a number of toasts were drunk among which was "the Farmer and the Monitor," referring to the letters of John Dickinson and Dr. Arthur Lee.

[2] Frothingham, *The Rise of the Republic,* 237, 238.

colonists had hoped for, and they did not abate their vigilance. The heart of Lord Botetourt had beat in unison with the King's subjects in Virginia, and in November, 1769, he called the assembly together to inform them of the news which he had received from the Earl of Hillsborough of the intention of the English government to repeal the act imposing duties upon glass, paper and colors. The retention of the duty on tea was a great disappointment, and at their adjourned meeting in May-June, 1770, the Burgesses addressed a new petition to the King, praying for the absolute repeal of all acts imposing taxes, or authorizing the transportation of persons beyond the sea for trial before distant courts of admiralty.

It was determined to enforce the non-importation agreement as strictly as possible, and during the session a meeting was held in Williamsburg of burgesses and merchants, who reaffirmed the association and created an organization of which Peyton Randolph was made President. By the terms of the organization, a committee of five persons with extensive powers, was to be appointed in every county to enforce the association, and the president could call a meeting of the associators at his discretion, or at the request of twenty members of the body.[1]

But in the very nature of the case it was difficult to make such a system complete. The merchants of Massachusetts, Rhode Island and Pennsylvania widely evaded the agreement. "More tea," says Hutchinson, "was imported legally into Massachusetts than into all the other colonies."[2] In June, 1770, New York broke down and announced her intention to confine the inhibition to tea alone. Her example was demoralizing, and on December 9, 1770, William Nelson, President of the Virginia council, wrote that "the spirit of association which hath prevailed in this colony for sometime past, seems to me, from the defection of the Northern Provinces, to be cooling every day,"

[1] Journal of the House of Burgesses, 1770-1772 (xxxi).

[2] Hutchinson, *History of Massachusetts Bay*, III., 351. In the *Virginia Gazette* for October, 1773, is a statement of the number of chests of tea on which the duty was paid in Massachusetts in 1769, 1700, 1771, 1772, and 1773 to October 23.

and no general bonds remained to hold the colonies together. Everywhere the spirit of opposition declined, and Hutchinson reported that in Massachusetts "Hancock and most of the party except Samuel Adams were quiet." The desire seemed general to drop the controversy with the mother country.

The mother country, on the other hand, seemed determined not to give up her authority over the colonies, and while Parliamentary intrusion did not go further, the King, by instructions, which offended the popular sentiment in America, raised issues in nearly every colony. A set was not framed to apply to all the colonies alike, but special instructions were sent to each colony as local circumstances dictated. "Hence, the patriots could not create a general issue upon them.[1]"

Out of an order which restrained the governors of the colonies from assenting to any restriction of the slave trade sprang the noble petition to the King of the Virginia Legislature in February, 1772, in which they spoke of the importation of slaves as a trade of "great inhumanity" and "one calculated to endanger the very existence of your majesty's American dominions."

Similarly, a grievance existed in Massachusetts because of royal orders which made the salaries of Governor Hutchinson, the judges, and subordinate officers of the courts, payable out of the imperial treasury instead of the provincial treasury. Such a mode of payment tended to make these officers wholly independent of the local conditions and bound them to England. Samuel Adams took advantage of the quarrel, during the latter part of 1772, to organize an opposition through committees of correspondence in the Massachusetts towns. He seemed to have intended spreading his committees, if possible, to towns outside of the province and indeed to making them national. But the plan did not succeed, and after four months it had not been adopted in any other State—"not one town outside of Massachusetts, I think, choosing a committee of correspondence."[2]

[1] Frothingham, *Rise of the Republic*, 252.

[2] Ibid, p. 281.

Indeed, the issue on the royal instructions, as applied to the salaries of officials by Adams, was too essentially local to meet the requirements. Lord Dartmouth supplied the want in a fresh royal instruction, dated September 4, 1772, but not made public until four months later.

This time Rhode Island, not Massachusetts, became the occasion of the Revolutionary movement. Incensed by the vigorous manner in which the British sloop Gaspee was enforcing the navigation act, a party of disguised men in June, 1772, boarded the vessel while accidentally stranded, wounded the captain, and destroyed the vessel by fire. The affair deserved punishment, but the exasperated ministry went too far. Lord Dartmouth sent an order under the sign manual of the King, creating a commission to enquire into the circumstances. It was instructed that the offence of the men concerned in the attack on the Gaspee was high treason, and was directed to arrest the parties charged with the crime and to send them to England for trial. This measure raised again the question of the fundamental right of the trial by jury. In the presence of this great national issue, Rhode Island acted very tamely, and its assembly would issue no circular calling for aid and left the chief justice, Stephen Hopkins, who asked their advice, to his own discretion. Several patriots of Rhode Island asked the opinion of Samuel Adams, and he advised them to adopt his plan of town committees of correspondence, but they did not do it, which proved that neither they nor Samuel Adams measured up to the crisis.

The issue was once more met by Virginia, and all America was roused by the call. The House of Burgesses met on March 4, 1773, when the Rhode Island court of enquiry received their attention. The lead was now taken from the older members Peyton Randolph, George Wythe, Richard Bland and Robert Carter Nicholas by a caucus of whom Patrick Henry was the chief, and numbered also Richard Henry Lee, Thomas Jefferson, George Mason, Francis Lightfoot Lee, and Dabney Carr. Their remedy was a system of intercolonial committees first suggested by Richard Henry Lee as early as 1768. Jefferson, who

probably drew the paper, was requested to present it to the assembly, but he desired that that honor should be accorded to his brother-in-law, Dabney Carr. Patrick Henry and Richard Henry Lee made impressive speeches, and on March 12, 1773, the resolutions were unanimously adopted. Eleven members were appointed a committee of correspondence to communicate with the other colonies. Lord Dunmore was now governor in the place of Botetourt, deceased, and on March 15, he dissolved the House. The following day the committee of correspondence agreed upon a circular which the speaker, Peyton Randolph, was directed to send to the other colonies.

This action of Virginia was statesmanlike and proved an inspiration. The supineness of Rhode Island, the neighbor of Massachusetts, had provoked Nathaniel Greene, the future general, into saying that its assembly had lost its ancient public virtue. But it now applauded the example of Virginia, and chose a corresponding committee. Five of the other colonies also accepted the proposals and returned their warm and earnest thanks. "Heaven itself," says one New England writer, "seemed to have dictated to the noble Virginians." "The intercolonial committees struck a greater panic in the ministers," wrote William Lee from London, "than anything that had taken place since the passage of the Stamp Act." The British ministry, in fact, saw in it for the first time a real union of American interests, and regarded it as the sure procursor of a continental congress.

The effect on the court of enquiry was demoralizing. The members vacillated, and were afraid to call for military force. The commission held a final session in June, 1774, when they agreed upon an elaborate report, in which they conceded that the commander of the Gaspee in detaining vessels indiscriminately, exceeded the bounds of his duty. The commission then adjourned. "The design of transporting Americans to England was given up. This was the close of the issue of Royal instructions."[1]

[1] Frothingham, *Rise of the Republic*, 286.

III. Crisis of the Boston Port Bill.

Succeeding this interesting episode of the sloop Gaspee, the English ministry despairing of accomplishing their purpose by frowns and threats, determined to try to enforce the revenue act by appealing to the cupidity of the colonies. They persuaded Parliament to take off the duties imposed in England on tea and to allow the three pence collectible in America only to stand, supposing that the Americans would not decline to buy tea at the cheap price possible. After the proposal became a law, the East India Company, having large supplies stored in their warehouses in England, began to ship cargoes of tea to Charleston, New York, Philadelphia and Boston. Hutchinson says that the association against tea had been so thoroughly abandoned in Boston, "even by some of the great friends to liberty," that the first news failed to arouse any alarm, and the patriots were excited to action by friends in England.[1]

But once more the influences at Boston to which I have alluded in large measure made Massachusetts the occasion of the Revolutionary movement. In Charleston, New York and Philadelphia the consignees, being without any support, declined to receive the tea and resigned; but in Boston, where Thomas Hutchinson had succeeded Francis Bernard as governor, the Tory and military influences were so strong that the consignees—two of whom were Hutchinson's sons—were tempted to hold on. On the night of December 16, 1773, a band of men disguised as Indians boarded the vessels, cut open the tea chests and threw the entire cargo overboard.[2]

It never has been ascertained who constituted this marauding party, and no direct authority proceeding from the town of Boston or the colony of Massachusetts has ever been adduced

[1] Hutchinson, *History of Massachusetts Bay*, III., 422, 423.

[2] Samuel Adams was in the secret and probably the instigator, but this lawless destruction of private property "cannot be justly looked upon as an honor to his memory." Howard, *Preliminaries of the American Revolution*. 271.

for their action. Their course was a disguised one, and could be disavowed, as it was in many parts of the country. Nevertheless, the English government stimulated by Governor Hutchinson, who breathed of nothing but threats of execution and transportation beyond the seas, were greatly enraged and Boston was made to suffer for the deeds of irresponsible persons. Boston was condemned, and Parliament passed bills to shut up the port and to abrogate the charter of Massachusetts in some essential particulars.

Boston's remedy was found in an appeal put forward by her town meeting to the people of the colonies to join her in a total cessation of commerce with Great Britain.

But the invitation was received at first very coldly in the Northern section, where New York and Philadelphia were in no hurry to take action. Fortunately, "warmer hearts," writes Bancroft, "beat below Mason's and Dixon's line."

Before any news was received from Massachusetts or from any other of the colonies, the General Assembly of Virginia, on May 24, 1774, adopted a resolution, prepared by Henry and his caucus and offered by Robert Carter Nicholas, of the conservative party, setting apart June 1, (the day on which the Boston Port Bill was to go into effect) as a day of "fasting" humiliation and prayer." They immediately published their action in the *Virginia Gazette,* and on May 27, they were dissolved by Lord Dunmore, whereupon they adjourned in a body to the Raleigh Tavern, and, with Peyton Randolph, their late speaker in the chair, completed the work which they had intended by voting that the attack on Massachusetts was an attack on all the colonies, to be opposed by the united wisdom of all, that a Congress should be annually held, that as a punishment to the East India Company, no East India commodity, hereafter, should be imported, and that, if the unconstitutional principle of taxing the colonies should be persisted in, commercial intercourse with Great Britain should be altogether suspended.

Two days later, on May 29, letters from the North arriving by way of Philadelphia and Annapolis, with information of the

desire of Boston for immediate non-intercourse, the twenty-five members still remaining in town called a convention of the people to meet on August 1.

By the proceedings thus described, Virginia maintained herself at the front of the Revolutionary movement. It was the glory of Virginia that she was not only the first colony in America to identify herself with Boston, but the first to call a Congress of the colonies. For although, unknown to our patriots in Williamsburg, the suggestion of a Congress was made in advance during the same month of May, by the committee of correspondence in New York, and a town meeting in Providence, these were mere local affairs without any general authority.[1] The action at Williamsburg, on the other hand, was that of an organized, legislative body, presided over by a speaker, and presuming to declare officially for a whole colony. The Virginia burgesses took the lead in calling not only a Congress, but an annual Congress of the colonies involving a permanent union, first started by the institution of the inter-colonial committees of correspondence. On June 3, Connecticut adopted a call for Congress, but the action of Virginia was decisive, and the assembly of Rhode Island followed her lead on June 15, Massachusetts on June 17, Pennsylvania on July 22, till all had fallen in line. The colonies which had not acted now appointed their committees of correspondence, and the local committees first suggested by Samuel Adams, now under the stimulating influence of a general union, spread from town to town and county to county, through all the colonies.

The position of Virginia, as leader of the colonies, at this critical juncture of their affairs is abundantly attested by the literature of the day. The Philadelphia Committee of Correspondence wrote June 3, (1773): "All America look up to Virginia to take the lead on the present occasion." The Delaware committee wrote, May 26, that because of the "high opinion of the zeal and firmness of those of your colony in the com-

[1] The Philadelphia committee did not know whether to recommend a Congress or non-intercourse.

mon cause of America, we are persuaded that their resolutions, at this important crisis, will have great weight here." The Connecticut committee June 13, praised "the wise, spirited, and seasonable proceedings of your truly patriotic House of Burgesses, in early proposing a correspondence between and union of the colonies and the manly, pious and humane attention more lately manifested to the distresses of the town of Boston." Perhaps stronger evidence still is to be found in a letter dated July 6, 1774, to Governor Dunmore from Lord Dartmouth, who had succeeded Lord Hillsborough as Secretary of State in management of the colonies. Lord Dartmouth wrote: "There was reason to hope from appearances in the other colonies that the extravagant proposition of the people of Boston would have been everywhere disregarded. But it now may well be doubted whether the extraordinary conduct of the Burgesses of Virginia, both before and after their dissolution as a House, may not become (as it has already become in other instances,) an example to the other colonies."

On August 3, 1774, Dartmouth wrote again to Lord Dunmore: "The proceedings of the Burgesses of Virginia do not encourage me to hope for a speedy issue to the present discussion, and we have been too much of the prevalence of the example they have set the other colonies, not to be greatly alarmed at what may be the result of the unconstitutional meeting (Congress) they are endeavoring to promote."

To Patrick Henry, who lead the people in Virginia, George Mason, whose ability to judge cannot be questioned, referred at this time, "as by far the most powerful speaker he had ever heard," and "as the first man on the continent as well in abilities as public virtues."

In the interval between the dissolution of the General Assembly and the meeting of the convention on August 1, 1774, the Freeholders of every county in Virginia held meetings and adopted patriotic resolutions, pledging provisions for Boston, asserting the rights of the colonies, and endorsing the strictest non-intercourse with Great Britain. There were some, indeed,

who thought the policy of non-intercourse on the one hand too tame as a means of resistance to government, and on the other too harsh in its application to the Virginia creditors in England, and wanted the ground to be taken at once that no attention whatever should be paid to the tea act or any other act of Parliament infringing on colonial rights. The champion advocate of this policy was Thomson Mason, of Stafford, brother of George Mason, who set out his views in six able articles published in the *Virginia Gazette,* under the title of "A British American."

The convention duly met, appointed a delegation to the Congress and adopted an extensive system of non-intercourse, and all signed the paper except Thomson Mason, who refused for the reasons stated above.

And yet nothing, indeed, could testify more for the elevated principles of the Virginians than their action at this time. Not only did they by non-intercourse voluntarily invite the hardships of the Boston Port Bill to their own firesides, but the policy thus adopted was more hurtful to their interests than to the interests of the people of England, and far more than to the interests of the four colonies of New England, as by their home industries the latter was much less dependent on the mother country, and their exports and imports did not amount to half the exports and imports of Virginia and Maryland.[1]

Among the members of the convention was George Washington, who united a great moral and intellectual power with an imposing physical appearance. It is said of him that he was a man of strong emotions kept in check by perfect self control. It is probable that his apprehension of his own natural vehemence made him as a rule silent in deliberative bodies. History tells of two occasions alone when his habitual self control gave way and his emotions swept in a mighty tumult over every obstacle. One was at Monmouth when he was provoked beyond endurance at the pusillanimous conduct of General Charles Lee.

[1] Exports and imports of New England for the year 1770 amounted to $2,408,530, while the exports and imports of Virginia and Maryland amounted to $5,118,753. Hildreth, *History of the United States*, II., 559.

The other, it seems, was in this convention when the modest, taciturn officer rose in the might of his strength and blazed in the glory of oratory. Thomas Lynch, of South Carolina, told John Adams that "Colonel Washington made the most eloquent speech at the Virginia Convention that ever was made. Said he, 'I will raise one thousand men, subsist them at my own expense, and march myself at their head for the relief of Boston."[1]

Mr. Jefferson, the young member for Albemarle, was the draftsman of instructions for the delegates, which were deemed too bold as a first measure. They assumed, though with a spirit more decided, the extreme ground taken by Bland, in 1766, that the colonies were independent in all respects of Parliament, and summed up with trenchant pen that easily gave him the first place among American writers the rights and wrongs of the continent. Another set of instructions, probably drawn by Mr. Henry, falling short of the position adopted by Mr. Jefferson, was preferred, but Mr. Jefferson's paper was "read generally by the members, and approved by many, and by the convention printed in pamphlet form under the title of 'A Summary View of the Rights of British America.'" This magnificent paper passed through various editions, both here and in England, and furnished to a large extent, if not the topics, the *phrases,* of the American Revolution. Indeed, it contained every idea of the Declaration of Independence adopted two years later, except the explicit statement of separation.

In the great Congress of the States, which assembled at Philadelphia on September 5, 1774, Virginia shone resplendent in the constellation which composed her delegation. The delegates elected to Congress were Peyton Randolph, Speaker of the House of Burgesses and President of the Virginia convention, Richard Henry Lee, George Washington, Patrick Henry, Rich-

[1] Diary of John Adams, *Works,* II., 360. On John Adams' journey to Philadelphia, to attend the first Continental Congress, he stopped in New York, "went to the Coffee House and saw the Virginia paper; the spirit of the people is prodigious; their resolutions are really grand." *Ibid,* II., 352.

ard Bland, Benjamin Harrison and Edmund Pendleton. Joseph Reed, president of the Pennsylvania convention of 1775, has left this record of the prevailing impression:[1] "We are so taken up with the Congress that we hardly think of talking of anything else. About fifty have come to town and more are expected. There are some fine fellows come from Virginia, but they are very high. The Bostonians are mere milk-sops to them. We understand that they are the capital men of the colony, both in fortune and understanding." The pre-eminence of Virginia was promptly recognized by the election of Peyton Randolph, chairman of her delegation as president, and the appointment of his colleagues on all the important committees. Patrick Henry made the great opening speech, and he and Richard Henry Lee took the palm as orators.[2] Richard Henry Lee drafted the memorial to the "inhabitants of the British colonies," and Patrick Henry drew up an address to the King, but, its sentiments proving too strong for the conciliatory attitude of Congress, a rather tame substitute, prepared by John Dickinson, of Pennsylvania, was preferred. Col. Washington did not write State papers or speak in the open, but his influence among the members must have been prodigious. When returned to his home, Patrick Henry was asked by a neighbor who he thought was the greatest man in Congress, and he answered: "Col. Washington, who has no pretensions to eloquence, is a man of more solid judgment and information than any man on that floor." His speech in the convention proved, however, that Washington could be an orator, when the occasion was great enough, and he let himself out.

At this meeting, Congress in defining the attitude of America, abandoned the Otis doctrine of the supremacy of

[1] Reed, *Life and Correspondence of Joseph Reed*, I., 75.

[2] At the beginning of the session of Congress, in 1774, John Adams was told that "the Virginians speak in raptures about Richard Henry Lee and Patrick Henry, one as the Cicero and the other the Demosthenes of the age." *Works*, II., 357. Towards the end of the session he wrote: "Lee, Henry and Hooper are the orators." Ibid. II., 396.

Parliament and placed itself squarely upon the Virginia platform. An article drawn by John Adams claimed for the colonies the exclusive power of Legislation "in all cases of taxation and internal policy," but consented to the operation of such acts of the British Parliament, as were *bona fide* restrained to the regulation of trade. In strict conformity with a petition of the Massachusetts Legislature in 1773,[1] the retrospect of grievance was only carried back to 1763, and all the acts of Parliament passed since that time were pronounced inadmissible. To give effect to this attitude, they adopted, in all essential particulars, the plan of non-intercourse proposed by the Virginia convention and recommended the appointment of a committee in every county, city and town in America to carry it out.

IV. The Crisis of Independence.

Congress adjourned to meet on May 10, 1775, and in the interval the different colonies were active in enforcing the association and preparing for defence. Undoubtedly, the most prominent figure in America at this time was Patrick Henry, and in March, 1775, at the second Virginia convention in Richmond, he made that speech for "Liberty or Death," which stamped him as among the greatest orators of all ages. On this occasion, R. H. Lee and General Thomas Nelson also spoke eloquently, and Jefferson was not silent. "He argued closely, profoundly and warmly on the same side."[2]

In order to counteract the effects of the American Association, Parliament, about the same time, passed bills cutting off the trade with foreign markets of all the colonies, except New York, North Carolina and Georgia, whose assemblies had not

[1] Lecky, *England in the Eighteenth Century* III., 426.

[2] Edmund Randolph, *History of Virginia*. MSS. The idea that Mr. Jefferson was no speaker is not sustained by this paragraph, nor by another from the same history and which is as follows: "Indefatigable and methodical Jefferson spoke with ease, perspicuity and elegance." See the full extract in WILLIAM AND MARY COLLEGE QUARTERLY, XIX., 62.

adopted the plan. All petitions and addresses from every source—from Congress, the colonies, the merchants of England and the city of London, were rejected. William Lee[1] wrote from London on April 3, 1775, that the contest "must now come to a final decision, and in my opinion, it will end in an absolute independence of the colonists." On May 15, he wrote:[2] "The eyes of all Europe are upon America, and the ministers attend much to the motions in Virginia, for they think *you will fight;* which they have been taught to believe the New England people will not do." He explained that this opinion of the New Englanders went back to the year 1768, when the Bostonians, after a great deal of bluster and with an act of Parliament in their favor, permitted the troops to land and be quartered in the town. They had not resisted then, and "the King and his friends, as they are called, think there will be no resistance now."

But the King was mistaken. On April 19, 1775, came the first shedding of blood at Lexington. This created no new condition, but only intensified those which existed. The difference was only one of degree in violence, and sturdy blows now took the place of parliamentary acts and colonial boycots. Whatever the situation created by the conflict at Lexington, the British deserve the blame or credit of it, for they were the aggressors. Almost contemporaneous was the march of Patrick Henry from Hanover county, Virginia, to reclaim the powder taken by Lord Dunmore, the governor, from the powder magazine in Williamsburg.

When Congress re-assembled on May 10, 1775, Peyton Randolph, of Virginia, was again elected President and his colleagues again occupied important positions on the committees. No contemporary account of the debates has been preserved, and though very little confidence can be placed upon the details of John Adams' recollections in his autobiography and letters written many years later, I suppose it may safely be assumed from

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[1] Ford, *Letters of William Lee,* I., 153, 154.

[2] *Ibid.*, I., 157.

them that the Massachusetts delegates had no great influence in this Congress with the other members. It is not necessary to accept Adams'[1] explanation of the reasons, but his statement that it was the plan "to put Virginia at the head of everything" was undoubtedly correct. Her influence demanded it. George Washington was made commander-in-chief of the American armies and out of six great papers put forth by the Congress, two were written by Virginians—"An Address to the Inhabitants of Great Britain," by Richard Henry Lee, and "A Reply to the Resolutions of the House of Commons," known as Lord North's proposals, by Thomas Jefferson—the latter paper adopting the sentiments recently written by the same gentleman for the Virginia Assembly, and presenting in a masterly manner the reasons why the colonies declined to accept those proposals as a basis of reconciliation.

Congress sent a second petition to the King drawn by John Dickinson, but its dutiful and humble language, which was in marked contrast with a draft of Jefferson's for which it was substituted, received no other answer than a royal proclamation in August, 1775, declaring the colonists in a state of Rebellion. Before this time, Lord Dunmore had fled to the protection of a British man-of-war, and with a small band of Tories and negroes was engaged in a predatory warfare with the Virginians.

In this state of things when the sword was drawn, and armed forces confronted each other, both in the North and in

[1] John Adams, Samuel Adams and all the rest of the Massachusetts delegation, except John Hancock, were poor men, and were, therefore, subject to the suspicion of personal ends. This, in fact, John Adams declares, was their situation, and he is borne out by a letter of Rev. Jacob Duché, who had, on the motion of Samuel Adams, officiated in prayer at the opening of the first Congress. Duché afterwards turned Tory, and in a letter to Washington he referred to the Massachusetts delegates (excepting John Hancock) as "Bankrupts, attorneys, and men of desperate fortunes." See Autobiography of John Adams," *Works*, II., 512. But to state the case fairly, John Hancock, who had suits pending against him in the admiralty court for smuggling, to the extent of half a million dollars, was far more chargeable with interested motives than either of the Adamses.—*Sabine's Loyalists.*

the South, there only remained one forward step, and that was to independence. And again it was not Massachusetts that took this step but Virginia, who acted as she always had officially as a colony, committing the whole people.

Much has been written about the time of the birth of the independence idea, and Massachusetts writers have put forward Samuel Adams as its earliest expounder. But while the evidence shows that he was always in the front line in defence of colonial rights, all his State papers in Massachusetts breathe of loyalty to the crown, and none even of his private letters come out explicitly for independence till the publication in January, 1776, of Tom Paine's famous pamphlet "Common Sense." The same remark is true of his cousin and fellow patriot John Adams, whose statement in his autobiography written 30 years later, that he talked openly in Congress for independence during the latter part of 1775 seems contradicted by a letter written by him as late as February 17, 1776, which has the following: "Reconciliation if practicable and peace if attainable you very well know will be agreeable to my inclinations, but I see no prospect, no probability, no possibility."

To give Tom Paine's Pamphlet its just due, independence before its publication was with the two Adamses a sentiment that developed unconsciously as it did with thousands of others in the drift of events. In the latter part of the year 1775, several anonymous articles appeared in the newspapers in favor of independence, and there were written also some private letters suggesting it by prominent, but not leading men; but the question was treated as an academic one. Doubtless among the very first to entertain ideas of independence was George Washington. In a letter to Mr. Reed, of Pennsylvania, dated February 10, 1776, he said: "With respect to myself, I have never entertained an idea of an accommodation, since I heard of the measures which were adopted in consequence of the Bunker's Hill fight." Nevertheless, there is no evidence that Washington, even after the King's proclamation in August, 1775, went about urging independence. Samuel Adams had a talent for intrigue,

and was one of a caucus in Congress, who met together and shaped the policy of Congress, but in the open convention he was not prominent either as speaker or writer, and he had nothing of the personal influence of Washington. The value of his work in secret cannot be given its due weight, for we know nothing of the details.

But which section of the Union responded more promptly to the appeal of *Common Sense* for independence—the North or the South? In March, the British troops abandoned Boston, and the field of operations was transferred from New England to Virginia and the Carolinas. The features of the southern war were the burning of Norfolk, in Virginia, the battle of the patriots and Tories at Moore's Creek Bridge, and the threatened descent of Sir Henry Clinton on Charleston. The changed state of affairs naturally produced a coolness in the North and proportionately excited a ferment in the South, which was noticed by Samuel Adams in a letter dated April 30, 1776.[1] On March 29, 1776, Col. Landon Carter wrote, in his diary, of a report[2] in Virginia that "independency was thrice proposed in the Congress and each time thrown out by a vast majority,[3] and that northward nine-tenths of the people are violently against it." In vain the delegates from Massachusetts wrote home for instructions on the subject of independence, for none could they get. The correspondence of Elbridge Gerry, who was one of these delegates, shows how completely they were left in the lurch by thir own constituents.

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[1] "The burning of Norfolk and the hostilties committed in North Carolina have kindled the resentments of our Southern brethren, who once thought their eastern friends hot-headed and rash. Now, indeed, the tone is altered, and it is said the coolness and moderation of the one is necessary to allay the heat of the other." *Samuel Adams* to *Samuel Cooper*, Wells, *Life of Samuel Adams*, II., 396.

[2] William and Mary College Quarterly, XVI., 258.

[3] This rumor probably sprang from an address made by a committee in Congress on February 13, 1776, which threatened Great Britain with independence; but it was laid on the table. *Journals of Congress*, IV., 134-146.

This is an extract from a letter written by him from Philadelphia on March 26, 1776, to the President of the Massachusetts Provincial Congress: "I sincerely wish you would originate instructions, expressed as a court in favor of independency. I am certain it would turn many doubtful minds, and produce a reversal of the contrary instructions adopted by some assemblies."[1] Writing still later, May 1st, to the same gentleman, he used this language:[2] "Virginia is always to be depended upon; and so fine a spirit prevails among them that unless you send some of your cool patriots among them, they may be for declaring independency before Congress is ready." The apprehension expressed in this paragraph was, as we shall see, verified by the event, as Virginia declared for independence more than six weeks before Congress acted. In a letter of May 28th, Gerry enclosed papers containing the Virginia and North Carolina instructions and said: "'Their conventions have unanimously declared for independency, and have in this respect exceeded their sister colonies in a most noble and decisive measure. I hope it will be forthwith communicated to your honorable assembly, and hope to see my native colony following this laudable example."[3] James Warren in reply,[4] 12th of June, acknowledges the receipt of this letter, and the enclosed papers. "I have endeavored," he adds, "to use to the best purpose the intelligence you gave me, and to animate your native colony to follow the laudable example of the South. Their spirit is in your taste, and I can in imagination see you enjoy it."

Nowithstanding the urgings of Gerry and Warren, the council branch of the Legislature, which held its session in May, at Watertown, negatived a resolution of the House of Representatives looking to independence. The House then proceeded separately on the question, and on the 10th of May, it voted this

[1] *Life of Gerry*, Vol. I., p. 174.

[2] Ibid, 178.

[3] *Life of Elbridge Gerry*, I., 181.

[4] *Life of Elbridge Gerry*, I., 181.

curious resolution that "the towns ought to call meetings to determine whether, if Congress should declare the colonies independent of Great Britain, the inhabitants would solemnly engage with their lives and fortunes to support them in the measure." This looks as if the House was trying to shirk the question and to throw the responsibility on the towns. And the towns, by repeating the "ifs," seemed in their resolutions to hand the question over to their representatives in the ensuing Provincial Congress. Boston thought reconciliation "dangerous and absurd," but professed her willingness *"to wait, most patiently to wait* till the wisdom of Congress shall dictate the necessity of making a declaration of independence." A new House of Representatives convened on the 2d of June, but it was not till July 3, that they took final action on independence. On that day they addressed a letter[1] to their representatives in the continental Congress stating that "independence was almost the universal voice of this colony," collected from far the greater number of the towns, but even then they gave no direct instructions of their own, submitting their letter "to be made use of as *you shall think proper.*" On June 21, Joseph Hawley wrote[2] from Watertown: "General Washington: the most important matters are soon to be decided by arms. Unhappy it is for Massachusetts, and I fear the whole continent, that at this season we have a large and numerous assembly. More than one-half of the members are new members. Their decisions are most afflictingly slow, when everything calls for the utmost ardor and dispatch. The Lord have mercy upon us!"

The only Northern colony that made any expression of its sentiments previous to the Virginia convention, in May, 1776, was Rhode Island. There the opponents of independence were very strong, and the assembly declined to give a direct answer to the query of representative Stephen Hopkins "concerning dependence, or independence," but by a secret commission, dated

[1] Frothingham, *Rise of the Republic,* 508. Note.

[2] Force, *American Archives,* Fourth Series, VI., 1015.

May 4, 1776, the delegates were given a power to vote for any measure calculated to "secure their rights," and independence was not named.[1]

The spirit of John Adams outran the cautiousness of his constituency, and May 10, 1776, a resolution proposed by him was adopted by Congress recommending to all the colonies, "where no government sufficient to the exigencies of their affairs have been hitherto established, to form such government as might conduce to their happiness in particular and that of America in general." In his preamble to this resolution adopted May 15, the very day on which Virginia decided on her own motion to assume an independent government, it was asserted that "it is necessary that every kind of authority under the Crown of Great Britain should be totally suppressed." Though this was a step in advance, it was not a formal separation, and in view of the former protestations of Congress in favor of reconciliation did not carry with it the idea of independence.

The course of the Southern States was far more decided than their sisters of the North. On the 23d of March, South Carolina, without directly alluding to independence, empowered her delegates to concur in any measure which might be deemed essential to the welfare of America. About the same time the Provincial Congress of Georgia, in choosing a new set of delegates to Philadelphia, authorized them to "join in any measure which they might think calculated for the common good." North Carolina went a great step further, and her Provincial Congress on April 12, 1776, empowered her delegates to "*concur* with the delegates in the other colonies in declaring independency and forming foreign alliances, reserving to the colony the sole and exclusive right of forming a constitution and laws for it." But her delegates were not instructed to propose independence, and none of them ever arose from their seats in Congress to put the ball in motion.

That unapproachable honor was reserved for Virginia, and there was no delay beyond what the date fixed for the meeting

[1] Frothingham, *Rise of the Republic*, 505.

of her convention entailed. But long before this time the sentiments of her people for independence were plainly expressed. On this question, the evidence which has come down to us bears summing up.

"Common sense" appeared first in a Philadelphia paper, January 9, 1776. In the notice of a new edition proposed on January 25, it was stated that "several hundred are already bespoke, one thousand for Virginia."[1] On January 31, Washington praised" its sound doctrine and unanswerable reasoning."[2] On February 24, 1776, Dr. Walter Jones, the representative in the convention from Richmond County and afterwards a prominent member of Congress, reported[3] it a "most incomparable performance." On March 29, Col. Landon Carter reported[4] Richard Henry Lee "as a prodigious admirer, if not partly a writer in it." On April 2, John Lee wrote[5] from Essex County: "Independence is now the topic here, and I think I am not mistaken when I say, it will (if not already) be very soon a *Favorite Child.*"

John Page wrote,[6] on April 12, to R. H. Lee, from Williamsburg, the seat of government, that "almost every man here, except the Treasurer (Robert Carter Nicholas) is willing to declare for Independence." On April 20, William Aylett, of King William county, reported[7] to R. H. Lee: "The people of this county almost unanimously cry aloud for Independence," and the same day Richard Henry Lee, then attending Congress in Philadelphia, wrote[8] to Patrick Henry to propose a separation in

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[1] Frothingham, *Rise of the Republic,* 476.

[2] Sparks, *Writings of Washington,* III., 27.

[3] William and Mary College Quarterly, XVI, 152.

[4] Ibid, XVI, 258.

[5] *Southern Literary Messenger,* XXVII, 186.

[6] *Southern Literary Messenger* for October, 1858, Vol. XXVII, p. 255.

[7] Ibid, 326.

[8] Henry, *Life and Speeches of Patrick Henry,* I., 378.

the Virginia convention which was to meet in May. "Virginia," he writes, "has hitherto taken the lead in great affairs, and many now look at her with anxious expectation, hoping that the spirit, wisdom and energy of her councils will rouse America from the fatal lethargy into which the feebleness, folly and interested views of the Proprietary governments, with the aid of Tory machinations, have thrown her most unhappily."

On April 5, the committee of Cumberland county appointed a sub-committee, of which Carter Henry Harrison[1] was the chairman, to draw up instructions for the delegates in convention to be chosen for that county on court day, April 22. Accordingly, on that day the people of Cumberland adopted resolutions drafted by Mr. Harrison, in which this imposing language was used: "We therefore your constituents, instruct you for an independency; that you solemnly abjure any allegiance to his Brittanick Majesty and bid him good night forever, that you promote in our convention an instruction to our delegates now sitting in Congress to do the same." This is as far as we know the first positive order in the United States given for independency by any official body, and on the next day, (April 23) Charlotte county instructed[2] its delegates to use their best endeavors that "the delegates which are sent to the General Congress be instructed immediately to cast off the British yoke." The rest of the counties followed in resolutions very similar, and in this spirit and with such aims the new convention was chosen, and on the 6th of May, met in Williamsburg according to order. Just four days later Gen. Charles Lee wrote that the languor of Congress frightened him.

On May 15th a paper was adopted which directed the Virginia delegates in Congress to propose to that respectable body to declare the United Colonies "free and independent States absolved from all allegiance to or dependence upon the Crown

[1] See resolutions published for the first time in William and Mary Quarterly, II., 252-255. Carter Henry Harrison was brother of Benjamin Harrison, signer of the Declaration of Independence.

[2] Henry, *Life and Speeches of Patrick Henry*, I., 374-376.

or Parliament of Great Britain." By the same paper, a committee was appointed to prepare a declaration of rights and plan of government for the colony.[1] The author was Edmund Pendleton, President of the convention; it was proposed by Thomas Nelson, and championed before the convention by Patrick Henry. "As a Pillar of Fire which, not withstanding the darkness of the prospect, would conduct to the promised land he inflamed, and was followed by the convention."[2] In this way did Virginia solve the last political problem of the preliminary stages of the Revolution, and in consequence the greatest joy prevailed in Williamsburg. The troops were drawn out and paraded before Brigadier-General Andrew Lewis, in Waller's Grove, at the end of the town, near the theatre. Then publicly toasts were drunk, and each of them was accompanied by a discharge of artillery. The British flag, which floated from the capitol, was immediately struck and a continental hoisted in its room. And all this time the "Liberty Bell of Virginia," which still hangs in the old church steeple—the most remarkable relic in the United States—was making merry with its musical peals.

On June 12, the convention of Virginia adopted, unanimously, a declaration of rights, and on June 29, unanimously, a State constitution by which it was declared that the government of this country, as formerly exercised under the Crown of Great Britain, is "totally dissolved." The declaration of rights was the work of George Mason, and the body of the Virginia constitution was substantially his, though the beautiful preamble proceeded from the pen of Thomas Jefferson. These celebrated papers were copied and adopted substantially as their own by most of the other colonies. Immediately after the ap-

[1] It was really a composite paper framed from othes offered the day before in the committee of the whole by Patrick Henry, Meriwether Smith and Mr. Pendleton himself. Henry, *Life and Speeches of Patrick Henry*, I., 394-396. Mr. Pendleton was the leader of the conservative forces, which shows how events had brought the people together in common opposition.

[2] Edmund Randolph, *History of Virginia MSS.*

proval of the plan of government the convention elected Patrick Henry first governor, adopted a State seal prepared by George Wythe, and passed an ordinance requiring all magistrates and other officers to swear allegiance to "the Commonwealth of Virginia."

The constitution of Virginia has been called the first written charter of government ever adopted by a free and independent people. Up to the meeting of the Virginia convention, in May, 1776, Congress had kept open the door of reconciliation, and in this spirit it had at different dates during the year 1775 advised Massachusetts, New Hampshire, South Carolina and Virginia, in which the functions of the old royal government were suspended, to form new governments, *if they deemed it necessary,* "during the continuances of the present disputes between Great Britain and the colonies." Virginia at that time did not deem it necessary to make a written constitution which was to be temporary only, for she had her popular convention, which met from time to time, and in August, 1775, she had created a committee of safety, which had general executive control and was empowered to issue all commissions without any recognition of King George. That Virginia, from a very early date in 1775, was really in advance of Congress is shown by the speech of George Wythe in that body that "her convention was deterred from seizing the person of Lord Dunmore only from a reverence for Congress," which was opposed to offensive measures.

Richard Henry Lee had been associated with John Adams in preparing the preamble adopted in Congress on May 15, and now on June 7, he rose from his seat, and in obedience to the instructions of Virginia, proposed the celebrated resolutions: (1) For independence; (2) For forming foreign aliances, and (3) For establishing a plan of confederation. His main supporters were John Adams, of Massachusetts and George Wythe, of Virginia—two of the really great men in Congress. But its appearing in the course of the debates that the delegations of New York, New Jersey, Pennsylvania, Delaware and South Carolina were not yet ready, it was thought prudent to postpone the final

decision. And that this might occasion as little delay as possible, a committee, with Thomas Jefferson at the head, was appointed June 11, 1776, to prepare a declaration of independence. The adoption of these great measures on July 2, and July 4, respectively, consummated the work which Virginia had begun. Far above and beyond all other writers Jefferson deserves the name of the "Penman of the Revolution," for his was not a work confined, like Samuel Adams', to a province, but into his "Declaration of Independence" he poured the soul of a continent. An eminent critic[1] has pronounced this paper "as the most commanding and the most pathetic utterance in any age, in any language, of national grievances and of national purposes," and the editor[2] of the latest edition of the writings of Thomas Jefferson does not shrink from calling it "the paper which is probably the best known that ever came from the pen of an individual."

In so great a drama as I have attempted briefly to unfold there were many actors. On June 3, 1776, John Adams again declared what so many had said before: "We all look up to Virginia for examples." Among the Virginia exemplars of this period were Richard Bland, Peyton Randolph, Edmund Pendleton, George Wythe, Robert Carter Nicholas, Dr. Arthur Lee, Richard Henry Lee, Patrick Henry, George Mason, Thomas Nelson, George Washington and Thomas Jefferson; but undoubtedly the hero of the period was Patrick Henry. His was the unquestionable merit of having led the country on the Stamp Act, and during all the period succeeding he had been always a leading spirit and often the soul of action. He consolidated the opposition against the act of Parliament for trying Americans in England, put life into the counsels of Congress at Philadelphia in 1774, and championed with his eloquent tongue the inter-colonial committees of correspondence and the resolutions of the Virginia convention for independence. His was the one voice that never

[1] Moses Coit Tyler in *Literary Hist. of the American Revolution.*

[2] Paul Leicester Ford.

was silent. John Adams uttered the contemporary sentiments of the people of Massachusetts when he pointed him out, in 1776, as the "author of the first Virginia resolutions against the Stamp Act, who will have the glory with posterity of BEGINNING AND CONCLUDING THIS GREAT REVOLUTION."

TWO QUESTIONS AND THEIR ANSWERS.

TORIES AND SOLDIERS.

Which State had the most Tories, Virginia or Massachusetts? The loyalists themselves claimed that in the aggregate they constituted a positive majority of the American people. In 1780 John Adams estimated them at one-twentieth of the American people,[1] and in 1815 at one-third. The trouble of arriving at a correct estimate doubtless lies in the definition of a Tory.

There was very little division among the people in reference to the Stamp Act, which all pronounced an injustice, if not a violation of right. Serious divisions occured when the United Colonies took up arms after the battle of Lexington. More serious still were the divisions which occured after the Declaration of Independence. The true Tories were only those who joined the British Army, those who were banished, or those who stayed at home and would not aid or abet the American cause. It is probable that all these put together did not amount to over one-tenth of the American people.

Virginia had fewer Tories than any of the colonies. As stated in the text, they consisted principally of Scotch merchants and the shipping people in the counties of Norfolk, Princess Anne, Accomac and Northampton. Very few of the influential citizens were Tories, and not over half a dozen alumni of William and Mary College. Unlike the Episcopal clergy in other parts of the country, the majority of the Virginia ministers espoused the American cause.[2] Mr. Jefferson stated that "unanimity was maintained in Virginia by the bolder spirit slackening their pace on different measures that the less ardent might keep up, and they on their part differing nothing in principle quickened their gait, so that by this harmony of the bold with the cautious, we advanced, with our constituents in undivided mass and with fewer examples of separation that perhaps existed in any other part of the Union." A typical conservative member was Robert Carter Nicholas. He was opposed to Patrick Henry's resolutions on the Stamp Act, voted against calling out the militia, in 1775.

[1] Adams, *Works*, VII., 270.

[2] Thomas, *The Loyalty of the Clergy of Virginia.*

and did not approve of the Declaration of Independence. But in principle he was as thoroughly on the patriotic side as Patrick Henry. Thus, in 1764, he was the attorney of the colony in the Parsons' Causes; in 1773 he proposed the resolutions for a fast in sympathy with Boston, and, in 1775, wrote the reply of the House of Burgesses to the proclamation of Lord Dunmore.

While he would not vote for arming the militia, in March, 1775, it was only because he thought it premature; and as soon as the policy of arms was adopted came to the front with the proposition that went beyond Patrick Henry for raising 10,000, regulars to be enlisted for the war. He did not approve of the resolutions of May 15, for independency, for a similiar reason, but refrained from voting in order that the paper might go forth with the prestige of unanimity.

On the other hand, in Massachusetts the Tory element was displayed in many ways. Few important actions of the Provincial Legislature in behalf of colonial rights were carried unanimously, as was practically always the case in Virginia. On Hutchinson's departure from Boston, notwithstanding the Port Bill, over 120 principal inhabitants of Boston signed a paper endorsing his "wise, zealous and faithful administration." Similar papers were endorsed by people at Marblehead and by the Episcopal ministers of Boston, and by the magistrates of Middlesex County. The last contest in the town of Boston, in 1775, between Whig and Tory was decided by five against two.[1] At the time of the evacuation of Boston 1100 loyalists retired in one body. Sabine says: "That all the Crown officials were adherents of the Crown," and mentions leading citizens of Massachusetts, of whom 140 were graduates of Harvard. The wealth, the education, the social and official positions were all on the side of the Tories. One writer says: "That the list of Tories of New England reads almost like the bead-roll of the oldest and noblest families, concerned in the founding and upbuilding of New England civilization." It is stated, in one place, by the Editor of Adams' *Works* that the Revolution in New England was one of the lower classes and that the Revolution in Virginia was one of the upper classes, but as a matter of fact the Revolution of Virginia was one of all classes. A list of books containing a treatment of the loyalists may be found in Howard, *Preliminaries of the American Revolution*, 337, 338. The account of the Southern Tories is probably unsatisfactory, and their number overestimated.

How many troops were furnished by the two leading colonies, Virginia and Massachusetts during the American Revolution? The figures given by Massachusetts writers on the strength of Gen. Knox's report in 1790, when he was Secretary of War, are sufficiently contrasted. By the mere

[1] Adams *Works*, X., 63.

process of adding the returns they come to the conclusion that Massachusetts furnished 67,907 troops and Virginia 26,672. But the point to be noted is that Knox takes no account of the term of enlistment and makes no effort to reduce his figures to a common basis. The soldiers of Massachusetts during the year 1775 numbered 16,444, but they were not regularly organized continentals, but half armed militia men on continental pay, whose term expired in December of that year. The 13,372 men credited to the same State for 1776 were likewise militia on continental pay, whose term expired at the end of the year. Washington in his letters complains that they were slow to enlist and after enlistment had a way of going off without any notice. On February 10, 1776 when affairs at Boston were critical he wrote: "So far from having an army of twenty thousand men all armed I have been here with less than one half that number, including sick, furloughed and on command, and those neither armed nor clothed as they should be." It is to be noticed that among these so called one year men were 5,000 militia enlisted for a month.[1] Taking away 29,816 men from the total of 67,907, it leaves only 38,091.

After 1776 Congress assigned the duty to Virginia and Massachusetts of maintaining in the field a quota of 15 batallions amounting to 10,200 men. Neither colony was able to do it. The policy of Congress was to enlist the troops for three years, but it was only partially successful. This important difference is to be noticed that short enlistments prevailed in New England and long enlistments in Virginia. The consequence was that in New England the same troops were often enlisted twice or more during the same year, and, therefore, were counted several times. Knox's tables are silent for the most part, in regard to these discrepancies, but he gives one conspicuous instance in 1781 of the whole Massachusetts continental enlistment—3,732 troops—being "four month's men." During the two years of 1782 and 1783, when hostilities had practically ceased, more than eight thousand men from Massachusetts are reported by Knox to have entered the continental army. And yet we are told by every historian who has dealt with the subject that after the battle of Yorktown the army became demoralized and "the recruiting service consequently languished."[2] These late enlistments were very likely similar to the enlistment for the critical year 1781—four months men. Allowances being made for these considerations the discrepancy between the sacrifices of Virginia and Massachusetts disappears.

As to the State militia, Heitman in his *Historical Register of the Continental Army* places the number of the Massachusetts soldiers called into service at 20,000 and the number in Virginia at 30,000. If we add to the

[1] Sparks, *Washington*, Vol. I., p. 165.

[2] Sparks, *Washington*, I., 380.

figure for Massachusetts, the number at Boston during 1775 and 1776, commanded by Washington, the total is about 50,000 for Massachusetts. These estimates are, however, of very little value, as Knox's figures are very full for New England and very meagre for the South. Indeed, Knox states by way of explanation that in some years of the greatest exertions of the Southern States "there are no returns whatever of the militia employed." Some idea, however, of the efforts of Virginia for the year 1781 may be gathered from other sources. In Burk's *History of Virginia*, Vol. IV., 390, it is stated that when in 1781 Cornwallis threatened to invade Virginia 20,000 militia were placed at the disposal of the Governor. Though for the lack of arms and ammunition only 5,000 took the field, it is probable that the whole number contemplated saw some few weeks or months of service. Thus we are told that in Isle of Wight County one-half of the militia was in service within the county for the first three months and afterwards one-third part till about the 20th of November, 1781. (*William and Mary College Quarterly*, VII., 279.) Nevertheless, Knox, in his estimates for the year, only credits the State with the number of militia actually under arms at the time of the surrender at Yorktown—4,894. According to the volumes published by the Secretary of the Commonwealth of Massachusetts under the title of *Massachusetts Soldiers and Sailors in the Revolutionary War*, hundreds of the militia of Massachusetts served from one to thirty days in reply to some sudden alarm.

Not only did Virginia furnish to the American Revolution as many troops as Massachusetts, but she yields precedence to none of the States in the character of the service. Her troops fought over a wider area and further from home than those of any other State. To her soldiers was due the conquest of the Northwest, and to her public navy, which was the largest of any, was owing the maintenance of the credit of the United States. By keeping open the Chesapeake Bay, permitting the export of tobacco, loans of money, and arms and military stores were obtained for the continental army.

The truth is that the efforts of the State were prodigious, when one remembers the scattered population, beset by the British on one side and the Indians on the other, and the danger of servile insurrection at home. Massachusetts, with her compact population, had few of these difficulties to contend with.

With the same lack of real historic criticism, it is generally represented that Virginia had a larger white population, in 1776, than Massachusetts, but with the figures before us there is no doubt that Massachusetts had at least 50,000 more white people than Virginia. The population of the Southern State was scattered over an immense area, and fear of Indian depredations must have largely neutralized the energies of the western counties.

(For an excellent article on the "Virginia Troops in the Revolution," by Dr. John H. Latané, see "The South in the Upbuilding of the Nation," Vol. I., 90-97.)

OLDHAMS.

(COMMUNICATED BY R. C. BALLARD THURSTON.)

Lieut-Col. William Oldham's family Bible states that he was born June 17, 1753, and was killed at St. Clair's defeat November 4, 1791. He married July 24, 1783, Penelope daughter of Col. William Pope, of Jefferson County, Virginia, now Kentucky, and had four children:

Judge John Pope Oldham, born February 28, 1785,
Major Richard Oldham, born March 13, 1787,
Abigail Oldham, born May 1, 1789,
William Oldham, born 1791; died in infancy.

After his death his widow and daughter married two brothers—Harry and Samuel Churchill, both long since dead.

As one of his descendants, I have long been trying to locate his antecedents. My first authority (Miss Idelle Keys) gave his parents as John Oldham and Ann Conway, and his paternal grandparents as Samuel Oldham and Elizabeth Newton of Westmoreland County, Virginia. Investigation proved that this Elizabeth was the daughter of Nehemiah Storke, and widow of Thomas Newton (who died in 1727) before she married Samuel Oldham, and that she had no Oldham children. A correspondent says the above was taken from Dr. Egles' Notes and Querries which I have not consulted.

My second authority (Mr. Samuel Oldham, of Zanesville, Ohio) makes Lieut.-Coln. William Oldham a son of Isaac Oldham by a first marriage.

My third authority (Mrs. Danske Dandridge in her "Historic Shepherdstown") makes him a son of Samuel Oldham, of Berkeley Co., Va., now W. Va.

He is claimed by too many lines to suit me and so I started

a systematic search to ascertain, if possible, the truth, with the following results:

In the Draper manuscripts in the State Historical Society at Madison, Wisconsin (Vol. 37 J, page 114, etc.) are four letters from Judge John Pope Oldham, dated 1845 to 1847 in which he states that his father, Lieut. Col. Wm. Oldham, "was born in 1752 in Berkeley Co., Va. His parents were farmers in middle circumstances."

"Besides William, they raised two sons and four daughters, Samuel the eldest removed to Kentucky in 1784, settled near Louisville, and died at an advanced age" (Died in 1823) "Conway the youngest entered the Revolutionary Army in 1775, continued in it until the Battle of Eutaw Sprints, where he fell, having then, I believe, the rank of Major." (Note:—he attained the rank of Captain not Major).

"The two eldest daughters removed early to Pittsburg, one as the wife of Genl. John Neville, and the other as wife of Maj. Kirkpatrick."

"Another married Lawrence Ross—who for many years of his youth had been a captive with the Indians—removed to the neighborhood of Louisville at an early day, raised a large family and died in affluence at an advanced age. The other married a Mr. Lisle and remained in Virginia until her death."

"William joined Daniel Morgan's Regt. as an ensign in 1775, marched to Boston," etc., etc., was in the battles of Brandywine and Monmouth, was actively engaged in both battles and near being taken prisoner in the former. "He resigned his commission in the Army in the spring of 1779, having then the rank of Captain, and came directly to Louisville, Ky." &c. &c.

"In 1791 William Oldham was appointed to command the Kentucky troops."

"My knowledge of the facts, I have stated, was derived from my mother and others intimately acqainted with my father—I think there can be no question as to their accuracy."

That one of his sisters who married Coln. John Neville was Winifred (also Winney in deeds) Oldham, born 1736, married

August 24, 1754, died 1797, and burried in the old Presbyterian church yard in Pittsburg, Pa.

His sister Mary Ann Oldham was the one who married Major Abraham Kirkpatrick (born in Cecil Co., Md., 1749, was in the Revolutionary War, and died in Pittsburg, Pa. 1817)

Another Sister, Susan Oldham, born January 1, 1746, married about 1762 (their eldest son Shapley Ross was born February 12, 1763) Lawrence Ross (born 1722 died 1818), moved to Kentucky where they lived near Louisville. She died between 1818 and 1822. Hayden on page 527 in his Genealogies says that Mrs. Lawrence Ross was a daughter of Coln. Wm. Oldham of Jefferson Co., Ky., whereas she was his sister.

From other sources, I learn that General Daniel Morgan married into the family, one saying that he and General John Neville were brothers-in-law. Genl. Morgan's wife was named Abigail. (See History of Frederick Co., Va., by Cartmell p. 271) She was probably the Abigail Oldham, who with William Oldham, Conway Oldham and others witnessed the deeds from John Neville and wife to the Reverend Charles Mynn Thruston, April, 1775, (See Deed book 3, pages 406 to 408, Martinsburg Berkeley Co., W. Va.) and doubtless was another sister of Coln. William Oldham, unknown to or overlooked by Judge John P. Oldham in his letter to Dr. Draper.

In the Pension Office at Washington (Bounty Land Claim No. 503) I learn that Samuel Oldham was "the heir at law of Conway Oldham" who was killed at the battle of Eutaw Springs, S. C., 1781, and that said Samuel Oldham was living in Jefferson Co., Ky., in March, 1807.

From the deed records at Martinsburg, Berkeley Co., W. Va., I learn that the Samuel Oldham who was deputy sheriff, tax collector, etc., etc., there bought three tracts of land in 1773, 1775 and 1777. These he sold in 1779, 1780 and 1784. He does not appear on these records after that date, that being the year when he removed to Kentucky.

Berkeley County was formed in 1772 out of Frederick Co., Va. In the Frederick County Court deed records at Winches-

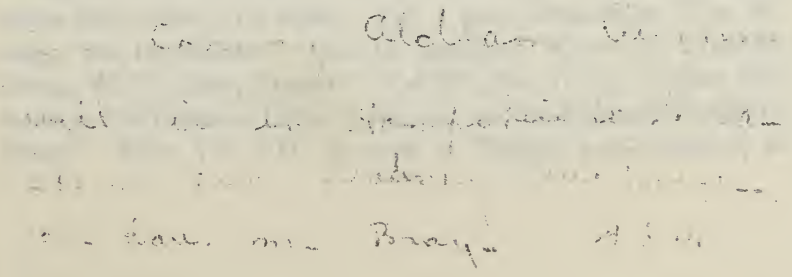
ter, Va., Vol. XV, pages 77 and 78, under date of August 5th and 6th, 1770, there is a deed from "Samuel Oldham of the county of Frederick and "Colony of Virginia, son and heir at law of John Oldham, late of "the County of Prince William, deceased," to Christian Grove of the same County, conveying a certain tract of land in Frederick Co., (formerly Augusta) containing 400 acres "the same being granted to the said John Oldham, dec'd, by deed from under the hand and seal of the Right Honourable Thomas Lord Fairfax, Proprietor," etc., etc., "bearing date the 24th day of November, 1752."

SUMMARY.

Judge John Pope Oldham was from 33 to 38 years old when his aunt Susan Ross and his uncle Samuel Oldham died. They had been neighbors of his from about the date of his birth and he knew them well. I think, therefore, it was reasonably certain that his father, Lieut. Coln. William Oldham, was brother to Samuel and Conway Oldham, Mrs. Neville, Mrs. Kirkpatrick and Mrs. Ross, and probably Mrs. Morgan also.

Samuel and William Oldham and their sister Mrs. Ross came to Kentucky from Berkeley Co., Va., (now W. Va.) and whilst I have no absolute identification of the Samuel Oldham of Frederick Co., Va., in 1770, with the Samuel Oldham of Berkeley Co., in 1773 to 1784, he could very readily have been the same without even changing his residence, since Berkeley County was formed from Frederick in 1772, and I feel that it is not an unwarranted assumption to class them as one and the same individual, in which assumption local historians agree with me.

Louisville, Ky., March 3, 1911.



THE VIRGINIA LITERARY AND EVANGELICAL MAGAZINE, RICHMOND, 1818-1828.

COMMUNICATED BY ALFRED J. MORRISON.

Few things begin of themselves, and it should not be overlooked that before the *Literary Messenger* was established in 1835 the reading public in Virginia had been accustomed to a magazine of its own. Beginning in 1818, for ten years the *Virginia Literary and Evangelical Magazine*, primarily a religious periodical, contained much of a general nature, every month tacitly declaring that its duty was to the State as well as to the church, and that as long as there was no other Virginia periodical of a secular character, this must have an eye to both interests. A subsidiary purpose of the editor (in which he was successful, as developments after his death showed), was to arouse latent talent, so abundant in the community. "We are persuaded," he remarks in No. 9 of the first volume, "that we shall subserve the best interests of the country if by means of our work we can rouse the understandings and call forth the exertions of educated and ingenious men."

The first number of this *Virginia Magazine* appeared in January, 1818, conducted by John H. Rice, with the assistance of Moses Hoge, D. D. (president of Hampden-Sidney College), John D. Blair (the Rev. Dr. Blair, of Richmond), George A. Baxter (president of Washington College, Lexington), and others, among them John Matthews, then of Shepherdstown, later president of Hanover College, Indiana. The subscription price was three dollars in advance or four dollars at the end of the year, payable in notes good in the subscriber's community. Postage, under 100 miles, was 5 cents and 2 mills a number; under fifty miles 3 1-2 cents. Vol. I. was "Printed by Wm. W. Gray: for the Editor." Vol. II. appeared "From the Franklin Press: W. W. Gray, Printer." Vol. IV., No. 1, "By Nathan Pollard: at the Franklin Office;" No. 12, "at the Sign of Franklin's Head." After Vol. VII. the style is "Pollard and Goddard: at

the Franklin Printing Office, opposite the Old Market." The Franklin Office is described as having been the best job office in Virginia. From it were published several works, now rare, among them (1822) the Franklin Almanac, "at the Sign of Franklin's Head, Richmond, where country merchants and dealers can be supplied on accommodating terms."

It is remarkable that this magazine generally contained no miscellaneous advertisements (not from necessity, but as a policy), a precedent which religious journalism has not observed.

The editor, John Holt Rice, was a man whose memory Virginia will not willingly let pass away. He died in 1831, and the most active years of his life covered a momentous period in the history of the State, fifteen years in which a great deal was a-foot, much was accomplished, and much projected that failed of accomplishment. Dr. Rice was born in Bedford county, the son of one of the old county clerks. He went to school to his uncle, a minister of the Established Church; was then a student at Liberty Hall Academy, Lexington (now Washington and Lee University); then tutor at Hampden-Sidney College, and pastor of a church in that region. He came to Richmond in 1812, where the burning of the theatre had greatly increased religious activities. That phase of his work alone was no sinecure, for Virginia's heritage from the eighteenth century was not particularly evangelical. But beyond that sphere, or rather as enlarging it, Dr. Rice set himself to take an active part in the best life of the State, which it was his object to influence through the pulpit, the press, and the school. In 1822 he was offered the presidency of Princeton College, but as a Virginian preferred to organize and set running a theological seminary for Virginia. He died in Prince Edward county, where for eight years he had been head of the Union Seminary. Although removed from Richmond, he continued to edit his Magazine, still published there.

The interests of John Holt Rice were wide. He was doubtless a Whig in politics, the Whig school having had its beginnings before his death; and he was a Union man in the best

sense, because he had travelled over the greater part of the country and knew what the Union was. One of the most interesting series of articles in the *Virginia Magazine* is that by the editor, recording his observations of the New England country, called "A Journey in New England" (Vols. V. and VI.). At the end is the remark, "According to my whole observations, there is wanting nothing but better acquaintance between the Northern and Southern people to do away prejudices and promote the cordiality which ought to exist between citizens of the same country."

It will be sufficient here to give the titles of a few of the less technical articles in this Magazine to show what its influence must have been at that time. Vol. I.—"Remarks on the Study of Natural Philosophy"; "On the True Theory of the Universe"; "On Conversation" and "On Reading to Excess," by Melancthon, who was Dr. Conrad Speece, of Augusta county, a life-long friend of the editor. Dr. Rice was chary of poems; his mind was practical. Speece may have had him in mind when he wrote the verses

> "I love to sit down with a friend of my youth,
> Long tried and found steadfast in kindness and truth;
> To talk while we heed not the march of the sun,
> Of what we have seen and have felt and have done."

Of the first volume Dr. Rice's "Excursion into the Country" has more regard for tillage than primroses. In No. 12 Academicus writes of the "Errors of Genius Exemplified." In reviewing the work of the first year the editor is with warrant complacent: "In the 576 pages of the first volume, with the exception of religious intelligence, there are not fifty pages which are not of domestic origin, written on purpose for this Magazine. And this is more, it is believed, than can be said respecting any other Journal of the kind either in this country or in Europe."

The second and succeeding volumes show such titles as "On Usury," "On the Manner in Which Some People Spend Their

Time," "Remarks on the Edinburgh Review's Strictures (Sydney Smith's strictures) on American Genius." "The Letter of a Lunatic," "Probable Moral Effects of the Present Scarcity of Money," "Brief History of a Genius," by Astutus; "Remarks on Toleration and Liberality," "The Utility of Distributing Books," "French Mountaineers," "Remarks on Historical Novels," "Sketch of Past and Present Times" (reflections occasioned by a letter from the father of Patrick Henry), "Review of Bowring's Specimens of the Russian Poets," "Systems of Astronomers," "An Account of the Island of Malta," "On the Improvement of the People," "A New Project" (an article which is supposed to have had much to do with keeping Dr. Thos. Cooper, of England, out of the University of Virginia), "The Abolition of Christmas," "On the Freedom of the Press," "The Present State and Prospects of Europe," "On the Study of the Classics," "Present Condition and Prospects of the Mohamedan Power" (by James Marsh, professor in Hampden-Sidney College, later president of the University of Vermont), "Sir William Jones," "The Influence of the Reformation on the American Revolution," "Review of Medwin's Conversations of Lord Byron," "A Query Respecting the Letter Y," "On Acrimony in Trifling Disputes," "A Notice of Webster's New Dictionary," "A Glimpse at Human Nature," "A Review of the Cultivation of Female Intellect in the United States," "Advantages and Disadvantages of the Married State," "On the Study of Languages," "A Tale for the Times," "Christmas Literature" (a new species), "The Literary Spirit of the Age," "Education of the Deaf and Dumb," "French Literature," "Women Not Unequal to Men," "Lord Byron."

This mere list of titles, interesting in itself, is doubly so by comparison, when it is remembered that the *North American Review* was established in 1815 and *Blackwood's Magazine* in 1817. But what is of most value locally in this *Virginia Magazine* is the large proportion of space given to the consideration of the status of Virginia, politically, educationally and in a literary

way. For instance, "The Necessity of a Better System of Instruction in Virginia" (I., No. 6); "Objections to the Present Plan of Education, and Some Suggestions of a Better" (II., 4); "Wishes Respecting a Treatise on Education"; "Series of Letters on Education" (Vol. VI.); "Primary Schools" (VIII., 7); "Letters to the President and Directors of the Literary Fund" (Vol. IX.); "Intemperance Among the Coloured People" (IX., 1); "Thoughts on Slavery" (II., 7), etc., etc. These articles, many of them written by the Editor, are an exposition of his very statesmanlike views. He believed that slavery was an evil, and that heated agitation of that question was an evil. And he was convinced that the system of primary education in the State was essentially mistaken. To quote his own words, he was working with others for a Revival of Learning in Virginia, one obstacle to which was the policy of public schools for the indigent only. A part of his programme also was gradual emancipation with deportation, and an insistence on the importance of the church keeping quite out of politics.

John Holt Rice, as every statesman must, had a due regard for the past, as that from which the present is sprung. On reading Hening's *Statutes at Large,* then publishing, he asks (VII., 1), "Why is there no Antiquarian or Historical Society in Virginia? I have no doubt but that there lie, moulding in old trunks, in closets and garrets, many letters and other manuscripts of men of former times, which a society, properly organized and well conducted, might bring out of obscurity and preserve from destruction. My only object is to throw out hints which will set others thinking." The Franklin Press, as is well known, published in 1819 the *Works of Captaine John Smith,* now a rare book, sold at that time for $2.25 in boards or $2.50 bound.

The *Magazine* reproduced from time to time certain historical documents, such as "T. M.'s History of Bacon's Rebellion"; "A Letter from General Washington to Governor Henry" (1777); "John Clayton's Voyage to Virginia" (1688). In addition, the *Virginia Magazine* contained such historical articles as "A Memoir of Commissary Blair," "A Life of Samuel Davies,"

"Memoir of William Graham (rector of Liberty Hall Academy), "A Sketch of Lower Virginia" (VI., 5), "Thoughts on the Character of Our Revolutionary Patriots," suggested by a perusal of Wirt's *Life of Patrick Henry.*

Among books reviewed it is pleasant to see the *Poems* of William Maxwell (I., 9), the biographer of Dr. Rice, who was later president of Hampden-Sidney College and Editor of the *Virginia Historical Register,* foreshadowed in his friend's Magazine. Nor did the Magazine overlook the "Essays of Conrad Speece," published by Ananias Davisson, Harrisonburg, 1818. This book of 236 pages, was called *The Mountaineer,* being a series of essays first brought out in the *Republican Farmer,* of Staunton. The review is favorable, as is also that of Maxwell's *Poems.* "With this book in my hand," writes the reviewer, Melancthon, "I will no more suffer the assertion to pass in silence that Virginia has not yet produced a poet worthy of the title." The same number contains a notice of "Rhododaphne or the Thessalian Spell." Poem by Richard Dabney. Philadelphia: M. Carey, 1818. Of books reviewed, of a more directly practical sort, may be mentioned, *The Report of the Engineers of the James River and Kanawha Canal* (III., 1, "We are persuaded this is the grandest scheme ever projected in Virginia"), *The Memoirs of the Virginia Society for the Promotion of Agriculture* [John Taylor, President], Shepherd & Pollard, Richmond, 1818, (in which book appears the statement that "cotton will soon be a drug") and Hugh Paul Taylor's *Historical Sketches of the Internal Improvements of Virginia,* 430 pp., $2.50 bound. The review (VIII., 3) is not of the book, but of the proposed contents. It is to be hoped this book was published.

Enough has been said to show that John Holt Rice the editor of the *Virginia Literary and Evangelical Magazine,* was one of the first Virginians of his day. In conducting this work, one of his specific purposes was the "review of the new publications, native and foreign, essays on education, remarks on public schools, essays on morals and manners and on national character as affected by religion and literature, new discoveries in the

sciences and new improvements in the arts. * * * * In conducting the literary department of our Journal," the Editor remarks in another place (cf. Maxwell's *Rice,* p. 134), "we shall allow ourselves very great latitude. We have adopted this general term, indeed, because no better occurred, but the truth is, we intend that our Magazine shall occasionally serve as a vehicle of valuable essays on Agriculture, Inland Navigation, the construction of Roads, the great concern of Schools and whatever our correspondence will furnish for the promotion of Internal Improvement. We believe that the enterprising people of this country only want information on this subject to stir them up to a degree of zeal and activity, which has never yet been witnessed among us. In this view, we not only freely offer our pages for communications of this kind, but we earnestly entreat those who possess knowledge to impart it for the benefit of their country."

WILLS OF THE MINGE FAMILY.

Among the papers in a chancery suit filed in the clerk's office at Williamsburg are copies of the following wills, now lost from the records of Charles City county during the war 1861-1865:

IN THE NAME OF GOD. AMEN! I George Minge of the Parish of Westover in the County of Charles City being sick and weak but of sound and perfect memory do make constitute and ordain this Writing to be my last Will and Testament. Imprimis I lend unto my dear and well beloved Wife Mary Minge the following male and female Slaves to wit. Will, Jim, Buky, Nancy together with their future increase of the said females, my Womans Saddle together with the one half of my Household and Kitchen furniture my plantation utensils, and Stocks of Horses, Cows, Sheep and Hogs, likewise the one half of the crop of every kind left at my decease, to her my said Wife during her natural life.

Item, I lend unto my Daughter Sarah Walker, relict of Freeman Walker of the said County of Charles City all the rest and residue of my Slaves and Stocks of every kind, likewise the remaining half of my crop of every sort during her natural life, and if she should survive my Wife in that Case, I also lend her all and every the estate bequeathed to my Wife in the preceding clauses of this my will, to her my said Daughter during her natural life

Item, After the decease of my Wife and Daughter as aforesaid, I give and bequeath the whole of my estate of what kind soever to be equally divided between all my Daughters Children that may be living at the decease of my said Daughter to them and their heirs for ever.

Item, it is my will and meaning that if there should be any ready money in the house or out on interest at my Death, it may be applied to the discharge of my just debts and funeral expenses if sufficient for the purpose, but if not I desire the deficiency to be made good by my said wife and Daughter out of the estate before given to them or should there be any Overplus in that case I give such overplus to my said wife and Daughter to be equally divided between them.

Item, it is my desire that my estate may not be appraised.

Lastly I nominate, constitute, and appoint Henry Southall and Wyatt Walker whole and sole executors of this my last will and Testament, revoking and making void all wills by me heretofore made. In witness whereof I have hereunto set my hand and affixed my seal the nineteenth day of September one thousand seven hundred and eight-one. Geo: Minge (Seal).

Signed, Sealed, published and
declared by the said George Minge
to be his last will and testament
in presence of
John Colgin, Daniel Creighton.

A codicil to my will made this 4th day of December One

thousand seven hundred and eight-one: Whereas at the time of my making my said will bearing date the nineteenth day of September 1781 two of my slaves being with the British Army, and having no expectation of recovering the said negroes to wit George and John at that time, since which the said George, and John hath returned home.

Item I lend to my loving wife Mary Minge during Her natural life my negro Boy John and at her death to go to my daughter Sarah Walker as I have directed in my will above, and to be devised at the death of my said daughter, as I have directed all that part of the estate before given her

Item I lend unto my daughter Sarah Walker during her natural life my negro Boy George and at her death to be divided (devised?) in the same manner as the slave before given her And lastly I nominate and appoint my friend Furnea Southall an executor to my last will and testament with the executors before mentioned. In witness whereof I have hereunto set my hand affixed my seal this day and year above written.

Geo: Minge (Seal).

Signed, Sealed published and
declared in presence of
Bernard Major
Ann E. Willcox

At a Court held for Charles City County the 2d day of January 1782.

The aforewritten last will and testament of George Minge deceased was in open Court proved by the Oaths of John Colgin and Daniel Creighton witnesses thereto and ordered to be recorded, a Codicil to the said Will was also proved by the oath of Bernard Major a witness thereto and likewise ordered to be recorded, and are truly recorded. And upon the motion of Furnea Southall one of the executors therein named who made oath thereto according to law, certificate is granted him for obtaining a probate Thereof in due form he giving security; where-

upon he, together with William Christian, Edmond Christian and Henry Duke, his Securities, entered into and acknowledged their bond in the penalty of fifteen hundred thousand pounds current money, with such condition as the law in this case directs.

Teste James New Cl. Cur.

A COPY Teste Ro: Munford D. C.

IN THE NAME OF GOD, AMEN. I David Minge of the parish of Westover & County of Charles City being in sound health and perfect sense and memory, thanks be to almighty God for it, but calling to mind the uncertainty of this mortal life, do make & ordain this to be my last will and testament. Imprimis, I recommend my soul into the hands of its unerring Creator, hoping thro' the merits of the blessed Jesus to receive full pardon and remission of all my sins, and a joyful resurrection to eternal life. My body I desire may be interred in the burying place of our family in Martins Brandon parish in Prince George County, and as to what worldly estate it hath pleased God to bless me with in this life, I give and dispose of the same in the following manner.

Item I give and bequeath to each of my daughters Rebecca Jones Minge and Anne Shields Minge and their heirs forever, the sum of five thousand pounds current money, to be paid out of the rents and profits of my estate in Halifax County in North Carolina, and paid them as they come of age or marry respectively, which estate I have leased to Charles Gilmour and William Henry of the County of Brunswick, for ten years next ensuing in consideration of the sum of one thousand pounds p^r annum and during the minority or unmarried state of my daughters aforesaid I give (*sic*) my executors hereafter named may receive the said rents and profits as they become due, and place the same to interest upon proper security and that such interest be applied towards the maintenance and education of my said daughters until they come of age or marry as aforesaid, and in case this should prove insufficient for that purpose I desire the deficiency may

be made good out of the other estate I also give and bequeath to my said daughter Rebecca one male and one female negro slave as near her own age as may be, and such as my wife shall hereafter make choice of. I also give her my negro Girl Critty after the death of my wife, to her my said daughter and her heirs forever, and to my daughter Anne I give and bequeath my negro woman Kate and her daughter Clementine to her and her heirs forever.

Item I lend to my dear and much esteem'd wife Christiana Minge all the residue of my estate both real and personal until my eldest son John arrives to the age of twenty one years, in case she lives my widow until that period, to be kept together for the payment of just debts and her support and the maintenance and education of all my children and after my son John comes of age as aforesaid, or in case my said wife should marry, I then lend her all my lands in Wyanoke including Kittiwan, Harvey's, Miles's, Collier's and other lands I may have adjoining thereto, together with twenty negro slaves such as she shall then choose, my Chariot and four horses, and the drivers Billy and Charles, or in case they die before, her choice of two others out of the residue of my slaves, four work horses, one moiety of all my stocks of Cattle, hogs and sheep, then in being, and the whole or [illegible] my household furniture, plantation utensils, and [illegible]ure, as she shall think proper during her natural life.

Item, I give and bequeath unto my son George Hunt Minge, when my son John comes to the age of twenty one years, my land and plantation in this County called the Rowe and all my lands in the State of North Carolina, also the stocks of every kind, utensils and implements of husbandry which may be upon the plantation at that time, together with fifty negro slaves of equal value in proportion to their number, with the number and value of my other slaves (except those bequeathed to my daughters) to him and his heirs forever, and in case my wife should marry or die before my son John arrives to the age of twenty one

years as aforesaid, it is my will and desire that this bequest to my said son George, shall take effect immediately after that time.

Item, I give and bequeath to my son John Minge when he shall arrive to the age of twenty one years all the rest and residue of my estate not before mentioned both real and personal to him and his heirs forever. I also give and bequeath to my said son John at the death of his mother all the lands and slaves lent to her for life or such of the slaves and the increase as shall be then living together with such of the stocks and furniture which shall be likewise left, at that time, to him my said son and his heirs for ever, and in case my wife shall marry or die before he comes of age, it is my will and desire that the bequest to him as aforesaid shall take effect immediately thereafter.

Item, In case either of my sons shall die under age and without issue, then I give and bequeath the part of my estate given to him so dying, unto the survivor and his heirs forever, and if both of them die under age and without issue as aforesaid, in that case I give both their parts of my estate to be equally divided between my two daughters Rebecca and Anne to them and their heirs forever, and further if either of my daughters should die under age and unmarried, then I give the part of my estate given to her so dying, unto the survivor and her heirs forever, and if both of them should die under age and unmarried then I give both their parts to my sons John and George equally to be divided to them and their heirs forever.

Item, My will and meaning farther is that if my wife should marry or die before my daughters' fortunes can be raised by the rents of my Carolina estate, or so much of them as will be sufficient to bring in money sufficient by the interest thereof to maintain and educate them in a genteel manner until they marry or come of age respectively, in that case I desire the deficiency may be made good out of the profits of my sons' estate in equal proportion.

And lastly I constitute and appoint my beloved wife Christiana Minge and my friend and kinsman Freeman Walker executors of this my last will and testament, and my desire is that the

said Freeman Walker be furnished with a horse out of my estate to do the necessary business upon towards the execution of this my will. In witness whereof I have hereunto set my hand and seal this sixteenth day of May one thousand seven hundred and seventy nine.

David Minge Seal

Sealed, published and declared,
in presence of
Mord: Debnam, Tom Harwood, James New.

Whereas since the making my last will and testament I have had another daughter born, and consequently no provision made for her Therefore I give and bequeath unto her my said daughter Judith Bray the sum of five hundred pounds to be paid her in gold or silver or the depreciation to be made good in current money, and in order to raise the said sum I do hereby charge the estate given by my said Will to my two sons John and George Minge with the payment of the same in proportion to the value of the said estates; I also give and bequeath to my said daughter Judith Bray two negroes out of my said sons parts in the same proportion as above mentioned to her my said daughter and her heirs forever.

Item I give and bequeath to Sarah Lorton and Margaret Ross each of them a young negro Girl, Lucy to be one and other to be as near her age as possible, to be chosen by my wife, to them the said Sarah and Margaret and their heirs forever.

I desire that the negroes given to my daughter Judith Bray may be as near the ages of those given to my other daughters by my will as can be conveniently chosen.

It is my desire that this writing may not defeat or destroy my will, but be annexed to, and taken as part thereof. In witness whereof I have set my hand and seal the twenty first day of February one thousand seven hundred and eighty one.

David Minge Seal

Sealed and delivered in presence of us Thomas Harwood, Ben: Edmondson, John Harwood.

At a Court for Charles City County the seventh day of November 1781. The aforewritten last will and testament of David Minge deceased was in open Court proved by the oaths of Thomas Harwood and James New two of the witnesses thereto; a codicil to the said will annexed was also proved by the oaths of Thomas Harwood and John Harwood witnesses thereto and ordered to be recorded and are truly recorded. And upon the motion of Christiana Minge executrix therein named who made oath thereto according to Law, certificate is granted her for obtaining a probat thereof in due form she giving security. Whereupon she together with John Tyler, William Christian, Henry Armistead, and William Green Munford her securities, entered into and acknowledged their bond in the penalty of fifteen hundred thousand pounds current money, with such condition as the law in this case directs. Teste Mord: Debnam C. C. A copy teste Wyatt Walker C. C. A copy teste Ant^{y} Robinson C. C. D. C. W.

TYLER FAMILY OF ESSEX, SPOTSYLVANIA AND CAROLINE COUNTIES.

In the records of the General Court preserved in the Virginia Historical Society, it is stated that John Smith, of "Purton," in Gloucester county, Va., was agent, in 1674, for Mr. Richard Tyler, of London, who had lands there by the courtesy of England. It was probably this Richard Tyler, or his son, of the same name, that was found living in Essex county, Va., in 1691.

1. RICHARD[1] TYLER married Susannah, and his will was proved in Essex county in 1734. He had issue named in his will: (2) *Richard,* (3) *John,* (4) *William,* (5) Mary, married Captain James Boughan, justice and sheriff of Essex county; (6) Susannah.

2. RICHARD[2] TYLER (Richard[1]) lived in Essex county, where he was a justice of the peace, major of the militia, etc. He made

a marriage contract in 1724 with, first, Catherine, widow of Thomas Montague, who died about 1720.* He married, secondly, Anne ———. His will, dated October 21, 1761, proved in Essex county November 16, 1761, mentions wife Anne, daughter Franky, wife of Robert Cole; grandsons William Gatewood and his brother, Philemon, and Anne, daughter of Abraham Montague; directs that his negroes be equally divided among the surviving children of Richard Gatewood and leaves a legacy to Elizabeth, daughter of John and Catherine Corrie. William Tyler, Richard Tyler and William Montague qualified as executors.

Issue of Richard[2] Tyler: (7) Anne, married Robert Cole, and had Catherine, who married her cousin, Richard Tyler; Jane and Lucy, and a daughter, who married her cousin, Philemon Gatewood. (8) ———, daughter, married Richard Gatewood, and had William, Philemon and other children.

3. JOHN[2] TYLER (Richard[1]) lived in Essex county, where he married, and where his will, dated December 20, 1757, was proved March 21, 1758. It mentions six daughters—Catty, Mary Anne, Hannah, Betty, Susannah and Frances; brother, Richard Tyler, and Archibald McCall made executors. According to the family account of Robert Anderson, Esq., of Williamsburg (see QUARTERLY, XII., p. 120), John Tyler, of Essex, married Frances Graves, daughter of William Graves, and had five daughters (probably a sixth, "Catty," in John Tyler's will, died unmarried): (9) Molly, who married Mr. Hammond, of Georgia, and left issue: (Senator Hammond, of South Carolina is said to have been a descendant). (10) Hannah, born December 25, 1750, who married February 8, 1766; James Anderson, of Gloucester, who was born January 24, 1740, and died in Williamsburg in September, 1798. They had issue: (i.) William Anderson,

* Thomas Montague was the son of William Montague, who was son of Peter and grandson of Peter the emigrant. Catherine Montague was before her marriage widow of Thomas Montague, and of William Young. (Essex County Records.)

married Nancy Lowry, of Norfolk county; (ii.) John Tyler Anderson, married Nancy Jackson and was drowned in Hampton Roads; (iii.) Leroy, married first, Nancy Shields, of Philadelphia, and, secondly, Hannah Wright Southgate, of Richmond; (iv.) Nancy, married George Camp, of Norfolk Borough; (v.) James; (vi.) Julia, died young; (vii.) Henry, married his cousin, Sarah Williamson, of Powhatan county; (viii.) Robert, born 1781, married Helen Maxwell Southall, widow of Peyton Southall, of Williamsburg. (11) Betty, who married Mr. Williamson, of Georgia, and left descendants in that State. (12) Susannah, or Sukey, who married Mr. Winter, of Georgia, and left descendants. (12) Frances, who married Mr. George Whitefield, of Georgia, and left children. After the death of his wife Frances, Mr. Whitefield visited Virginia, and died at the house of Mrs. Esther Crump, a widow lady, in Williamsburg. His eldest son, George, resided for a short time in Virginia.

4. WILLIAM[2] TYLER (Richard[1]) moved to Caroline county, as is proved by an entry in the records of Essex county, February 3, 1749, which recites that "William Tyler, of Caroline county," has bargained and sold to Joseph Dunn one hundred acres of land lying in South Farnham Parish, Essex county. The land is described as adjoining that of John Tyler, and "as being the place on which James Boughan now lives." The land sold was undoubtedly part of that which William Tyler inherited from his father, Richard Tyler. (See *Letters and Times of the Tylers,* Vol III., 226.) William Tyler is the ancestor of all members of this particular family, bearing the Tyler name, as his brothers, Richard and John, left no sons. William Tyler died in Caroline county in 1767, and must have been father of 13. *William Tyler,* of Caroline county, who was administrator of his estate, and of 14. Richard Tyler, of Caroline county, who with his wife, Catherine, made a deed in 1784 for 200 acres in Spotsylvania county. (Caroline and Spotsylvania County Records, *Letters and Times of the Tylers,* Vol. III.) He had also 15. a daughter, who married Henry Terrell (born January 29, 1735), moved to Kentucky in

1787, and died in 1811. (QUARTERLY, XVI., 287.) In the Caroline records the will of Catherine Tyler, wife of Richard Tyler above, was probated Aug. 12, 1816, and she mentions as legatees, kinsman Richard Keeling Tyler, George Tyler, Nancy Hewlett, Kemp Gatewood, Kemp Evans; nieces Kitty Mickelborough, Dorothy and Mary Evans; sisters Jane and Lucy Cole, sister Frances Smith, brother Philemon Gatewood, kinsmen George and Charles Terrell. Richard Keeling Tyler and Philip Redd executors.

13. WILLIAM[3] TYLER (William,[2] Richard[1]) was one of the justices of the peace of Caroline county in 1767 (Order Book), and was clerk of the county in 1771, as shown by the *Virginia Gazette*. He married Elizabeth Keeling, daughter of Richard Keeling, and had six sons and three daughters: (16) *George;* (17) John, died, it is believed, without issue; (18) *Richard Keeling;* (19) William; (20) Henry; (21) Thomas; (22) Elizabeth; (23) Maria; (24) Catherine. In Caroline county January, 1772, Walker Taliaferro, John Minor, Roger Quarles and Carr McGhee, or any three of them, were required to divide the estate devised the children of William Tyler, gentleman, by Richard Keeling,† deceased, agreeably to the decendent's will and make report to this court.

16. GEORGE[4] TYLER (William,[3] William,[2] Richard[1]) (born in 1755) and John Tyler, his brother, were recommended by the court of Caroline county to the Governor for commission, respectively, as second lieutenant and ensign in Captain Roger Quarles' Company of militia. He was known as "Captain Tyler," and resided at "River Bend," in Spotsylvania. In the *Richmond Enquirer* is the following notice: "Another Revolutionary officer, on Friday, 18th January, 1833, Captain George Tyler, died at his residence, in Spotsylvania county, aged seventy-eight years. He

† Richard Keeling was evidently the son of Captain George Keeling, who was vestryman of Blissland Parish, in New Kent county, about 1725. (Blissland Parish *Vestry Book* at the Episcopal Theological Seminary, near Alexandria.)

married in early life and raised eleven children." In 1884 Hon. George Tyler, who represented Caroline in the Legislature, in 1861 wrote to the compiler of this account that his great-grandfather (William Tyler) lived and died in Caroline. He had three sons, who, during the Revolution, organized and equipped a company and were the captains, first and second lieutenants of it. Captain George Tyler, his grandfather, cammanded a regiment at Yorktown as colonel, though not commissioned as such. He added: "I am the oldest representative of the name in this section, and trust that a name so identified with the history of the country is not destined to die out or even be diminished in the coming century. I live near Woodford in an old continental brick house about 130 years old, furnished in old English style." (*Letters and Times of the Tylers,* I., p. 50.) In the Spotsylvania County Order Book, 1829-1832, proof is recorded of George Tyler, "an active and efficient officer of the Revolution, who died January 17, 1833."

Captain George Tyler married Judith Terrell, and had issue eleven children, who were as follows: (25) William, married Jane Scott, moved to Missouri, and died in St. Louis county. He had a son, William Scott Tyler, whose widow married second time, Joseph A. Wherry, and is now living at 308 Benton Avenue, Marshall, Mo. (26) Elizabeth, married Jordan Pleasants, of Henrico county. (27) Richard, married Miss Herndon. (28) Judith, married Robert Goodwin. (29) Sarah, married Herndon, went to Kentucky. (30) Kitty, married Dr. Durrett, of Richmond county, Va. (31) Nancy, married ——— Stevens, went to Missouri, and her daughter married her cousin, Henry Tyler, lived in Saline county, Mo. (32) George, married a Durrett, of Richmond county. (33) *Henry.* (34) John, father of the late Major Joseph Tyler, of Bluefield, W. Va., and George Tyler, of Waco, Tex., (35) Thomas, who died unmarried at an advanced age.

33. HENRY[5] TYLER (George,[4] William,[3] William,[2] Richard[1]) married Lucinda Coleman, daughter of Spencer Coleman, of

Louisa county,‡ and lived first at "Blenheim," in Caroline county, and afterwards in Missouri. Issue: (36) *George.* (37) Spencer, who married Barbara Goodwin, and had: (i.) George G.; (ii.) Lucien L.; (iii.) Hardinia; (iv.) Lucinda; (v.) Huldah Ann (vi.) Spencer C. (38) Elizabeth, who married her first cousin, Robert H. Coleman, and had: (i.) John, married Mary Orr; (ii.) Mollie H., married her cousin, Dr. Robert G. Coleman; (iii.) Elizabeth J., married Paul Lynds; (iv.) Robert G.; (v.) Eugene; (vi.) Julia. (39) John, d. s. p., after crossing the Platte River, rescuing a friend. (40) Patrick Henry. (41) Robert, married Mary Larimore, of Calloway county, Mo., and had children: (i.) William and Henry, twins; (ii.) Joe Johnson; (iii.) Robert H., Jr., (iv.) Spencer; (v.) Mary; (vi.) Lucy. (42) Huldah, married Hon. Edmund A. Nickerson, of Warrensburg, Mo., and had issue: (i.) Bettie, unmarried; (ii.) Lucy, married S. N. Wilson, Lexington, Mo.; (iii.) Kitty, unmarried; (iv.) Edmunda married Paul Brokaw, of St. Louis, Mo. (42) William Elliott, who died in the War for Southern Independence. (43) Henry P., married Ophelia Stevens, his cousin, Saline county, Mo. Issue (i.) William; (ii.) Lucy; (iii.) Georgie. When Missouri was admitted as a slave State, in 1820, Henry Tyler gave his home, "Blenheim," in Caroline county, to his eldest son, George, and moved there with his slaves. The family settled in St. Louis county, where they still reside.

35. GEORGE[6] TYLER (Henry,[5] George,[4] William,[3] William,[2] Richard[1]) continued to live in Caroline county at "Blenheim." He was a leading citizen, and served in the State Legislature with credit. He married four times: First, Jane De Jarnette, by whom he had one child, died in infancy; second, Eliza Hoge, daughter of General James Hoge, of Pulaski, by whom he had one son, J. Hoge Tyler, who served in the State Senate and was Lieutenant-

‡ Lucinda Coleman was descended from Major James Goodwin, of York county, whose pedigree is taken back into England. See "Goodwin Family" in Supplement to WILLIAM AND MARY QUARTERLY, October, 1897.

Governor and Governor of Virginia, being the third Tyler who filled that station. He married Sue M. Hammet, and has issue. Hon. George Tyler married third, Jane Quisenberry, of Caroline, and had two children: (i.) George William Tyler, who married Mary Stuart Carter; (ii.) Nannie Brown, married John Washington, superintendent of schools for Caroline county (1910). George Tyler married, fourth, Julia Magruder, of Albemarle county, and had issue: (i.) Henry Magruder, attorney-at-law of Richmond, Va., married Mary Adams Taylor; (ii.) Julia Magruder, married James Armistead Otey; (iii.) Lucinda Coleman, unmarried; (iv.) Evelyn, married John J. Miller; (v.) John Tyler, unmarried; (vi.) William Elliot, married Burnley Redd.

17. RICHARD[4] KEELING TYLER (William,[3] William,[2] Richard[1]) was born October 27, 1760, at the old Tyler homestead, near Chilesburg, Caroline county, Va. He married Mary Cluverius Duke, born in Hanover county August 3, 1767, and had issue: (32) William; (33) John Duke; (34) Mary Cluverius. The entire family migrated to Tennessee in 1818. William and Richard Keeling Tyler moved thence to Kentucky, where each has descendants. John Duke Tyler died in Montgomery county, Tenn., May 20, 1860. He was father of Judge C. W. Tyler, of Clarksville, Tenn. Mary Cluverius Tyler married H. C. Mockbee and left one child, Mary Cluverius, who died unmarried.

ENGLISH ANCESTRY.

John Tyler, of Virginia, President of the United States, stated in one of his letters that it was a tradition that his original Tyler ancestor, Henry Tyler, of York county, Va. (born 1604), came from Shropshire, in England. There is reason to believe that probably the ancestor of more than one Virginia Tyler family came from that county in England. Thomas Tyler, Sr., and Thomas Tyler, Jr., obtained patents for land in Spotsylvania county, Va., and on March 5, 1727, Thomas Tyler, of St. George's Parish, Spotsylvania county, Va., deeded 500 acres patented by said Thomas, June 30, 1726, to "Charles Tyler in Great Britain, Salop county (Shropshire) and Hopton Wafers Parish." These Tylers cannot be placed in the text above, and appear to have been recent immigrants to Virginia. Enquiry in England received a most obliging reply from the

Rev. Prebendary James Payton, Hopton Wafers Rectory, Cleobury-Mortimer, Salop. By his letter it would appear that no register of Hopton Wafers exists earlier than 1660, but the following appears from the registers extant: Thomas and Anne Tyler had issue: (1) Ann, born 1715, who married Thomas Norcutt in 1737; (2) Thomas, born 1718; (3) Samuel, born 1720; died 1801, married Eliza Goff, in 1775 (she died in 1799, aged eighty), and had William, baptized and buried in 1755. The Charles Tyler of the deed was probably a brother of Thomas Tyler, of Hopton Wafers, who emigrated. The register shows that he married Anne Marond and had Charles. born in 1716. This second Charles may have been father of William Tyler, born 1750, in King William county, Va. adjoining Spotsylvania county). He had a son Charles. who was ancestor of Mrs. Dinette Tyler Earle, now of Baltimore. (See *Letters and Times of the Tylers*, III., 223.) It is possible that the Tylers of Hopton Wafers may have originally come from another parish in Shropshire called "Middle"; for in connection with this parish Mr. W. I. Tyler Brigham found the following estates: Richard Tyler Middle, 1606, and Thomas Tyler Middle, 1633. *Official Report of the Fifth American Tyler Family Reunion*, page 32.

Captain George Tyler's Certificate.

Order Book 1832 *to* 1839, *page* 180.

At a Court held for Spotsylvania County this 2nd, day of June, 1834.

Robert G. Coleman appeared in Court, and being sworn according to law, states that he is well acquainted with the late George Tyler and that, according to the report and belief in the neighborhood, he was reputed and believed to have been an active and efficient Officer in the War of the Revolution, and in that belief he concurs.

And the Court doth order it to be certified that the said Robert G. Coleman is a Minister of the Gospel.

A Copy—Teste: T. A. HARRIS, *Clerk.*

Order Book 1832 *to* 1839, *page* 216.

At a Court held for Spotsylvania County on the 6th, day of October, 1834.

The Court doth certify that from an examination of witnesses called before them and sworn, and that in their own opinion and in that of the neighborhood that the late George Tyler was always considered to have been an Officer of the Revolution.

A Copy—Teste: T. A. HARRIS, *Clerk.*

JONES OF PETERSBURG.

Abraham Wood came to Virginia in 1620, as a little boy of ten years, in the *Margaret* and *John*, commanded by Capt. Anthony Chester. This vessel had a great fight on the way over with two Spanish men-of-war, and beat them off. During the melée the heroic surgeon-general of Virginia, Dr. Lewis Bohun, received a mortal wound. Little Abraham escaped unhurt, and in 1625, was living at Jamestown in the employment of Capt. Samuel Mathews. He rose rapidly to public prominence, was a member of the House of Burgesses, a member of the council, and in 1671, was one of the four major generals commanding the military establishment of Virginia. In 1646 he was made captain of Fort Henry, at the modern Petersburg, and in 1658 was colonel of the militia of Charles City and Henrico counties. The land at Fort Henry, together with all the houses, boats and ammunition belonging thereto was granted to Captain Wood, on the condition that for three years he should keep up a garrison there for the defence of the colony.

General Wood was public-spirited and he sent various expeditions to explore the country westward. In 1680, he negotiated a treaty with the Indians which received the praise of the governor. He doubtless died soon after.

To repress the Indian disturbances, which led to Bacon's Rebellion, garrisons were placed in 1676 in forts at various places on the frontier. At Major-General Wood's, at the falls of the Appomattox River 1. MAJOR PETER[1] JONES was put in command of 57 men from Elizabeth City, Warwick and James City counties. Although there is no direct proof, it is morally certain that he married a daughter of General Wood. This is shown by his occupying the same land, and by the constancy with which the names Abraham and Wood have reappeared among his descendants. Major Jones had doubtless many sons, of whom the following may be deemed as two: 2. *Abraham*, 3. *Peter*. Of these the first as "Lieutenant Abraham Jones," in 1683, patented the Indian town land, adjoining the land of Major General Abraham Wood.

2. ABRAHAM[2] JONES (Peter[1]) had issue one son at least—4. Peter, who, as "Peter Jones, Jun., son of Abraham Jones," with his wife, Mary, made a deed in 1718. The Bristol Parish Register of Prince George Co., shows that this Peter Jones had issue: 5. Frederick, born Jan. 8, 1720-21, 6. William, born March 25, 1725, 7. *Cadwaller,* born Jan. 19, 1728, 8. Peter, born March 28, 1731, 9. Edward, who had Mary and Martha, named in the will of their aunt Martha Jones, dated Dec. 11,, 1751, and proved May 28, 1752.

There was Major Cadwallader Jones, of Prince George county, who was a captain in Baylor's regiment during the Revolution. He was probably a son of one of these. He had a sword which bore on the hilt the following arms: "Per bend sinister erm and ermines a lion rampant with a border engraved or. Crest: a lion's head." These arms descended to his grandson of the same name in the Confederate war as colonel of the Twelfth Regiment, North Carolina Volunteers, Greeg's Brigade. The arms are similar to those of Inego Jones, the famous architect. (See QUARTERLY VII., 60)

3. PETER[2] JONES (Peter[1]) was in 1722 vestryman of Bristol Parish and captain of the Prince George Co.. militia. His will dated June 19, 1721, was proved March 10, 1726. He names the following children: 10. *Abraham,* 11. *Peter,* 12. William, 13. Thomas, 14. John, 15. Wood, 16. Margaret, 17. Martha, 18. Ann.

Of these 10 ABRAHAM[3] JONES (Peter,[2] Peter[1]) married Sarah Batt, sister of Henry Batt, and moved to Amelia county. He had issue: 19. Abraham, born Feb. 16, 1720, 20. Ann, married Joseph Osborn, 21. Henry, 22. William, 23. *Peter,* born Nov. 2, 1733, 24. *John,* born Dec. 14, 1742, 25. *Thomas,* 26. Margaret, whose will was proved in Amelia county in 1794.

23. PETER[4] JONES (Abraham,[3] Peter,[2] Peter[1]) lived in Amelia county and probably married a Miss Archer. His will, dated Oct. 13, 1797, was proved June 27, 1799, and names issue. 26. Elizabeth, married Royall, 27. Peter, of Dinwiddie county, 28.

Archer, 29. Robert, married Ann Ward, daughter of Rowland Ward. His will was proved in Amelia county, in 1804, and names issue: (1) Rebecca W., (2) Mary Ann, (3) Sarah Tanner Jones, (4) Eliza, (5) Maria W., (6) Edward Henry, (7) Seth. W., (8) Robert B., (9) Richard, (10) William.

24 JOHN[4] JONES (Abraham,[3] Peter,[2] Peter[1]) was known as "Col. John Jones." He married, in 1769, Elizabeth Crawley, daughter of William Crawley, Sen., of Amelia county, and had issue: (1) Alexander Jones, (2) David C. Jones, (3) John Jones, Jr., (4) Daughter, who married Thomas Simmes and (5) Daughter, who married Peter Winston. (See wills of Col. John Jones and Alexander Jones, the former proved in Amelia county in 1805, and the latter in 1802; also wills of William Crawley, Sr., and John Crawley).

The first of these, Alexander Jones, married Mary Ann Winston, and in his will names "Father Col. John Jones," brother David C. Jones, brother-in-law Peter Winston, and children John Winston Jones, Eliza Jones, and Gustavus Jones. The first of these, John W. Jones, attended William and Mary College, and engaging in politics reached the high office of Speaker of the House of Representatives of the United States. His grandson, William G. Jones, is principal of one of the Richmond schools.

25 THOMAS[4] JONES (Abraham,[3] Peter,[2] Peter[1]) had issue named in will of his sister, Margaret Jones, proved in Amelia county, April 5, 1794. 30 JOSEPH JONES, of Dinwiddie county, who succeeded his father as vestryman of Bristol Parish in 1773, and represented Dinwiddie in the convention of 1788. He was brigadier-general of the militia, and for many years was a prominent member of the Legislature. He was great-grandfather of William Atkinson Jones, now a member of Congress from Virginia. (For children of Gen. Jones, see Slaughter, *History of Bristol Parish*).

11 PETER[3] JONES (Peter,[2] Peter[1]) was the Peter Jones who accompanied William Byrd "to the land of Eden in 1733," and assisted him in laying out Petersburg. He was vestryman of Bristol Parish and was captain and then major of the Prince

George militia. In March, 1747, he moved out of the parish. He married Dorothy ————, and his will was proved in Amelia, December 24, 1754. It names children: 31. John, 32. Peter, 33. Thomas, 34. Richard, 35. William, 36. Sarah, 37. Mary, 38. Ridley, born Aug. 9, 1730, who married Branch, 39. Elizabeth, born March 19, 1732, 40. Margaret, born Aug. 14, 1733, 41. Dorothy, born January 29, 1744. I have not been able to trace the descendants of these children.

A prominent Jones family lived in Brunswick county, descended from John Jones. In 1765 he was a member of the County Court and, in 1772, a member of the House of Burgesses. In 1788 John Jones and Binns Jones represented Brunswick in the State convention. In after years John Jones was in the Senate of Virginia, and was president of that body. His marriage bond at Sussex C. H., with Elizabeth Binns, daughter of Charles Binns, is dated July 22, 1758. He had issue, it is said: (1) *George Hamilton Jones,* (2) Betsy Jones, who married Col. Joseph Wilkins, (3) Nancy Jones, who married Herbert Claiborne, (4) *John Jones.* Probably Binns Jones was another son.

Of these George Hamilton Jones, of Petersburg, married Eliza Wright, and had: Charles Binns Jones, married Caroline DuBrutz, of North Carolina. (There are several letters from him to the Governor of Virginia at Richmond.) (2) Sarah Ann Jones, married Ebenezer Pope, (3) John Jones, married Caroline Stith, (4) Eliza Binns Jones, married William Pannill, (5) George Henry Jones, married Frances Raincock, (6) Joseph Jones—not married, (7) Eloise Williamson Jones, married John Calvert Taylor, and had Paymaster Richard Taylor, C. S. Navy and late cashier of a bank in Norfolk, who married Fannie Camp, and Washington Taylor, who married Emily Whitehead, a daughter of John B. Whitehead, of Norfolk, (8) Ann Rosina Jones, spinster, (9) Mary Louise Jones, married Norborne T. Page, (10) Caroline Matilda Jones, married William A. Page, (11) Georgianna Jones, married Rev. William Spencer Child, and had two children who died in infancy—Paul and Virginia.

John Jones, brother of George Hamilton Jones, was born March 30, 1764, and married Lucy Binns Cargill, daughter of John Cargill, of Sussex county, (son of Rev. John Cargill, of Surry) and had four children: (1) Dr. Thomas Williamson Jones, who married Mary Armistead Goode, (2) Col. John Cargill Jones, born June 9, 1795, married Mary Ann Walker and had thirteen children, eleven of whom lived to mature age, (3) Lucy Cargill Jones, married Dr. John M. Walker, in 1819, mother of Mrs. Hilliard, of Texas, (4) Martha Jones, who died aged 19.

Besides these Joneses there lived in Brunswick county a family that came from Northumberland county. Robert Jones had issue (St. Stephens Parish Register): 1. Brereton, born January 4, 1716, 2. Betty, born January 9, 1718, 3. Robert, born January 26, 1721, 4. William, born Oct. 15, 1723, 5. Thomas, twin to William, born Oct. 15, 1723. In 1746, Robert Jones, Sen., living in Brunswick county, made a deed for land in Prince William county to his son Brereton. The same year Brereton Jones was witness in Prince William to a deed of Howson Kenner and Margaret, his wife. The will of Robert Jones, Sr., dated Sept. 29, 1748, was proved Oct. 4, 1749, in Brunswick county. He names (1) Brereton, (2) Robert and (3) William, to whom he gave the tract of land "whereon I now live." (4) Thomas, (5) Samuel, (6) Charles, (7) Betty (Foote?), (8) Mary Foote, (9) Margaret, (10) Nanny, (11) Leanna.

In Albemarle Parish Register, Sussex county, is a note of the death of "Robert Jones, son of Robert Jones of this parish, attorney-general of North Carolina, in the 49th year of his age. He died Oct. 2, 1766." His bookplate had as arms: Ermine three Lions (Quarterly, VII., 60).

In Sussex county, Capt. James Jones died in 1772, and his will mentions a wife, (Hannah) three sons, one of whom was Frederick Jones, and two brothers Robert and Hamilton Jones. In the Virginia Gazette for 1775 Hamilton Jones advertised the estate of John Hamilton, of Prince George county, of which he was executor. In 1774 he married Jacobina Willie, niece of Rev. Wil-

liam Willie, and had at least two sons, Willie and Walter Jones, living in 1782. Willie and Allen Jones (doubtless connected with them) were sons of Robert Jones, of Surry county, and Sarah Cobbs daughter of Robert Cobbs, of York county, and Elizabeth Allen (daughter of Daniel Allen) his wife. (See QUARTERLY, VI, 121). They were prominent in establishing the Commonwealth of North Carolina. Hamilton C. Jones was born in Greenville county, Virginia, in 1798, attended the University of North Carolina, with James K. Polk, and resided in Rowan County. He is famous as the author of "Cousin Sally Dillard Gin a Treat."

HISTORICAL AND GENEALOGICAL NOTES.

HIGGINSON. Robert Higginson commanded at Middle Plantation, Va., in 1645. In 1893, I saw a fragment of his tombstone at "Fairfield," the old homestead of the Burwell family on Carter's Creek in Gloucester county. The tombstone of his only daughter, Lucy, which is there, describes him as "the valiant Captain Robert Higginson, of the ancient family of the Higginsons, one of the first commanders who subdued the country of Virginia from the power of the heathen." Lucy Higginson married successively three prominent men, and had descendants by each—1. Major Lewis Burwell, 2. Col. William Bernard, 3. Col. Philip Ludwell. According to Mr. Eben Putnam's pamphlet on the "Higginsons of New England and Virginia," quoting a bill in chancery, dated 1 August 1650, Robert Higginson was "a citizen and printer-stainer of London," previous to his removal to Virginia. He was the son of Thomas Higginson and Anne, his wife, of Berkeswell, county Warwick, and he had an elder brother named Thomas, of the same county. About 1625 he married Joanna Torkesy, and in 1643 removed to Virginia, where said Robert died in 1649. After his death she returned to England," being left in a manner destitute," and made an agreement with her brother-in-law, Thomas Higginson, by which, for

the sum of £280, she conveyed to him her marriage right to certain lands and messuages in Berkeswell. Mr. Putnam gives abstracts of various wills of the early Higginsons of Berkswell, according to which they were descended from John Higginson, who left a will, dated 1540, and was of the Higginsons of Wem in County Salop. For Higginsons of Virginia, see QUARTERLY II, 220, 231; V, 186; VI, 69; XIX, 178.

CHURCHILL AND POPE. "In the Virginia County Records, Vol. VI, Part 3, Sept., 1909, page 235, under an article headed Fauquier County Militia, Order Book 1773-1780, you will find, under date of May 25, 1778, a list of the officers of the militia of said county, among which you will find William Pope, captain, and Armistead Churchill, colonel of the Second Battalion.

Not only was I glad to get this information regarding the services which Armistead Churchill rendered, but also that which was rendered by William Pope, who came to Kentucky about 1779, and settled at Louisville. Traditions in our family were that they served in the Revolution, but I have never before obtained the definite information.

That William Pope is the one referred to in the article on Col. Nathaniel Pope and His Descendants, by the Rev. G. W. Beale, D. D., in William and Mary College Quarterly, Vol. XII, pages 192, etc., as second son and third child of Worden Pope, of Westmoreland Co., who died there in 1749 (see page 194). I also have a memorandum from Collins' History of Kentucky, page not given, that this William Pope was Lt. Col. of the Jefferson county, Va., now Ky., militia on November 1, 1780. This I have not verified by an examination of the records here, but will do so at some future date.

This Armistead Churchill 2nd was the one mentioned in the genealogy of the Churchill family, published in the Quarterly, in Vol. VIII, pages 48 and 200, born November 25, 1733, and married Elizabeth Blackwell, moved to Kentucky in 1787, and died here in 1795. This article, however, is in error in stating that his wife, Elizabeth Blackwell, was the daughter of William

Blackwell, of Fauquier—her father was Samuel Blackwell, of Northumberland county, Virginia," *R. C. Ballard Thruston,* Louisville, Kentucky.

BUCKNER. Warrant issued Dec. 19, 1832, to Mordecai Buckner, Baldwin M. Buckner, Elizabeth B. Brock, Elizabeth M. Buckner, Benjamin F. Buckner, Sarah A. A. Buckner, Horace B. M. Buckner, Allison W. Buckner and Mary C. Buckner, heirs and distributees of Col. Mordecai Buckner. *Papers in Va. Land Office.*

DUNLOP. There is at Dumfries, Prince William county, a tombstone to William Dunlop, merchant, who died December 21, 1739, aged 32 years, and is described as "son to Alexander Dunlop, Greek Professor in the University of Glasgow." His inventory of books and portraits was published in QUARTERLY XV, 275, 279. In Appleton's *Cyclopedia of Biography* it is stated that Alexander Dunlop was born in South Carolina in 1684, and died in Scotland in 1742. He became a professor of Greek in Glasgow University, and afterwards published a grammar of that language that was long held in esteem. William Dunlop, father of Alexander Dunlop and grandfather of William Dunlop, of Dumfries, Prince William Co., was born in Scotland about 1650, and died there in March, 1700. He was educated at Glasgow University and was licensed as a minister, but took part in the insurrection of 1679 and subsequently joined the emigrants who colonized Carolina. Here he continued preaching at intervals when he returned to Scotland, and was appointed by King William principal of Glasgow University, where he remained until his death, supporting its interests with equity and zeal.

BOLLING. George Preston Coleman, of Williamsburg, has an old copy of Pliny, the younger, printed at Geneva in 1625, *apud Petrum & Jacobum Chouet.* On a back fly-leaf in the book is a book-plate with the Bolling arms, under which is inscribed "Robt. Bolling, Esq." On the inside front cover is a label with "E. Libris, Robert Bolling, Schol: Blackfield Alumni, Decembris, 1751."

OPECHANKANOUGH. (Opechankenough; Opechancanough; Opechankenough; Opechanchynough and more often Opechankanough—spellings from Smith). Etymology:—Op-'white" as in Opotenaiok 'eagle' (Strachey) i. e., 'white tail." Op'-echankan-ough=(Lenape) Wap'-ieche'eken-enno; (Natick) Womp' eshagkin-innu', 'a white hair man.' The Lenape can be written Wap'-iechegen-enno. Hair of the body is the hair referred to or meant. It does not mean necessarily that he had white hair, for it might mean that he wore streamers of white hair on his head, or a white robe of fur about his shoulders, As he was a Powwau, it might refer to his appearance when acting as such. This word for hair can also mean wool, the hair of an animal.—*William Wallace Tooker.*

ERRATA.

In last number for "A. T. U." at bottom of note 1 on page 165 read A. J. M. In seventeenth line from top, on page 209, for "Morgan" read *Moryson.*

BOOK REVIEWS.

Mother's Love Songs. By Elizabeth Toldridge. Boston: Richard E. Badger, The Gorham Press. 1911.

In this little book of fifty-two pages we have some touching verses—so pure and sweet and gentle that they seem bathed in the perfumes of Heaven. Miss Toldridge is a real poet; and better still, her verses show that her heart is full of womanly love. Here is a set of verses that all will endorse:

MOTHER.

The earth smiles flowers where her footsteps go
Who is dearer than any other;
The sky is hers, with its clouds of snow;—
There is nothing too sweet for mother!

For her the sunrise glories afar;
One sunset after another;
The twilight hour with its single star;—
There is nothing too sweet for mother!

The song-sparrow sings to her all the day;
The robin's her little brother;
Her pansies whisper, "Heart's ease alway";
There is nothing too sweet for mother!

Love-words, love-deeds, and tenderer, too,
Than we give to any other,
For life's holiest best is her blessed due,—
There is nothing too sweet for mother!

The Soul of Love. By Elizabeth Toldridge. Broadway Publishing Company, 835 Broadway, New York.

This is a little book of poetry in prose, and records the growth of love as a soul influence in the experiences of a man and woman who are separated by death. It is full of sweet little touches of thought and imagination.

The Early History of the Eastern Shore of Virginia. By Jennings Cropper Wise. The Bell Book and Stationery Co., Richmond, Va. 1911.

Mr. Wise is to be congratulated upon giving us this excellent work. It is full of interesting facts, and the author's own comments are not by any means the least interesting part of the book. Mr. Wise's work is a study of the seventeenth century history of the Eastern Shore of Virginia, or as it was called by the Indians "Accomack," which in their native tongue "meant land beyond the water." The term is now identified with the two counties of Virginia—Northampton, terminating in Cape Charles, and Accomac, lying underneath the Maryland line of 38 degrees. It is a flat and sandy tract broken with picturesque bays and creeks, having a length of about seventy miles and a mean breadth of eight miles. Mr. Wise tells us many things about this interesting land: how it was the first part of Virginia to be visited by any white man; how its Indians proved the most hospitable of any of the tribes of Powhatan; how the climate was the most healthful; how, above all other parts of Virginia, it blended loyalty to the Crown with the greatest freedom of religion and trade; how it was the residence of Francis Makemie, the father of Presbyterianism in America; how it was the asylum of Dutchmen and New Englanders; how its creeks and bays swarmed with small craft engaged in the fisheries; and how on its numerous islands fringing its coast on the ocean side were the secret resorts of the smuggler and pirate Mr. Wise also shows that the Eastern Shore had, at different times, during the century important connection with the general history of the State. After the Indian massacre, in 1622, the project of taking the whole colony then was seriously considered by the Council at Jamestown. Then, during the Puritan war in England and the rule of the Commonwealth afterwards, it shared in the troubles both of Maryland and Virginia. Next it was the asylum of Sir William Berkeley in Bacon's Rebellion, and the scene of an exciting naval episode which was the beginning of Berkeley's restoration to power. In compiling this interesting treatise, Mr. Wise has covered a very large range of authority, which he has evidently studied with great minuteness. Whatever defects there may be in the book, they arise from the pardonable enthusiasm which Mr. Wise has felt for his subject, leading him perhaps sometimes too far in his statements.

One may, therefore, agree with Mr. Wise in regarding the Eastern Shore, under present conditions, as an exceptionally healthy place, but the very facts he gives on pages 38 and 187 seem to show that its climate was no exception to the unhealthfulness for which Virginia was notorious in the early days. Was population really "denser" on the Eastern Shore than anywhere else in Virginia? In 1635 the census gave the Accomac peninsula a less number of tithables than any other of the eight original counties. In 1652, when, according to Mr. Wise, the peninsula had a population of 500 tithables, York, on the western shore, had over 800

tithables. In 1666, a year in which Mr. Wise puts the population of the two counties of the Eastern Shore at 3,180, York, which had been reduced in area by the creation of New Kent county, had 1,140 tithables, or a population of 3,420, "not counting long shoremen and islanders," of whom it had a large number in the Pocoson precinct. Throughout the seventeenth century, I think it safe to say that little York, with its seventy square miles, had a population larger than either of the relatively huge counties of the Eastern Shore. Sweeping generalizations are always very dangerous. It is much safer to say that a certain thing is one of the first or one of the last, than the first or the last. Such reasoning, however, is a weakness to which historians are prone. Did the people of Accomac have no monthly court till 1632? It is hardly conceivable that, situated as they were, cut off by miles of water, they should have been dependent on the court of Elizabeth City. Have we not the statement in the *Briefe Declaration* that in 1619 "monthly courts were held in every precinct." The records of the time are very imperfect, and the Act of 1632 is doubtless a mere reaffirmation of a previous law now lost to us.

Again is it really true that the last ordeal of touch occurred on the Eastern Shore in 1679? Is Mr. Wise sure that there is nothing later in England, or in the other colonies of America, or in the other counties of Virginia?

In another and much smaller matter a greater need of cautiousness was required. It is rather rash to say that after the Rev. John Rozier disappeared from the Eastern Shore records "the only recurrence of the name Rozier in the early colonial records of the various colonies" is that of Col. Benjamin Rozier, of Maryland. The fact is Rev. John Rozier did not remove to Maryland as Mr. Wise thinks he did, but he went to Westmoreland county, where his name occurs in the records very frequently after his departure from the Eastern Shore. (*William and Mary College Quarterly*, IV, 32, 37, 40, 41, 79; VII, 119.)

But these objections and others like them which might doubtless be mentioned, scarcely weigh in comparison with the good accomplished, and it is positively cheering news that Mr. Wise intends to follow his work by another bringing down the history of the Eastern Shore to date. In the present book he has given us an excellent proof of what he can do. He should have a cordial welcome to our historical band, who seek nothing for themselves and everything for truth and love of country. The Eastern Shore has waited long, but after all it has suffered no harm. Could any country be more fortunate in its historian? With Mr. Wise, who is identified, through his own descent, with many of the leading incidents of the Eastern Shore, its history is a labor sweetened with love and sanctified by duty.

III-IV

SUBJECT INDEX.

VOLUME XIX.

Adams Family, 108, 109.
Amelia County Marriage Bonds, 174-176.
Blair, James, death of, 145.
Bland's Constitutional Argument, 31-42.
Bolling, 294.
Book Reviews, 64-72, 217, 218, 296, 297.
Bott, Queries regarding, 63.
Brafferton Manor, 42-48.
Camm, John, Sketch of, 28-30.
Caroline County Survey Book, 168-174.
Carter, John, Death of, 145.
Carter Genealogy, 116-137; 184, 194.
Chapman—Reynolds Family Records, 137-142.
Clack Family, 109-111.
Cobb or Cobbs Family, 51-57.
Council, The, and the Burgesses, 1-10.
Churchill and Pope, 293, 294.
Dunlop Family, 294.
Elective Principle in College, 143.
English Wills, 57-68.
Fontaine Family, 180-181.
Forests, The, of Virginia, 73-104.
Higginson Family, 292.
Historical and Genealogical Notes, 62-64; 142-146, 292-296.
Holt's Law Library, 144.
Indians, Their Use and Abuse of the Forests, 73-104.
Jefferson, Thomas, as an orator, 62.
Jones Family of Petersburg, 287-292.
Langborne Family, 104-108.
Langley Family, 194-199.
Leadership of Virginia in the War of the Revolution, 10-27, 219-263.
Letters: John Kennon, 165-168; John Tyler, 216; Francis Hargreaves, 58-61.
Library of William and Mary College, 48-51.
Liquor Drinking in Massachusetts and Virginia, 13.
Ludwell Family, 199-213.
Mabinogion of the West, 163-165.
Magazine, The Literary and Evangelical Magazine, 266-272.
Marriage Bonds, Amelia County, 174-176.
Medical Men, The, of Virginia, 145-163.
Minge Wills, 272-279.
Moore, The, Family, 177-184.
Neville, The, Family, 61.
Nicholas, Robert Carter, Course of, 258.
Oldhams, 263-266.
Opechancanough, 295.
Revolutionary War, Troops and Tories in the, 259, 260.
Robinson Family, 58-61.
Skyren Family, 179, 180.
Slaughter, Augustine, His Gift to the United States Navy, 144.
Stamp Act, The, 223, 224.
Thornton Family, 111-113.
Tories, 258, 259.
Tutors, 145.
Two Penny Act, 10-28.
Tyler Family of Essex, Spotsylvania, and Caroline County, 279-286.
Tyler, John, to George Roberts, 216.
Virginia: Growth of Republican Feeling, 1-4; Leadership of Virginia, 10-28; 219-262; Clergy of Virginia, 12, 13; Colonial Constitution of, 31-42; the forests of, 73-104; Births and burials in, 113-116; Some Virginia families, Moore, Bernard, etc., 177-184.
Walker Genealogy, 214, 215.
William and Mary College, Library of, 48-51. Elective principle at, 143. Political Economy at, 142.

GENERAL INDEX.

VOLUME XIX.

Accomac Parish, 115.
Abercrombie, 17.
Aberdeen, 187.
Abernathy, 201.
Abingdon Parish, 115, 212.
Acquinton Church, 179.
Adams, 11, 12, 13, 22, 25, 68, 69, 108-109, 220, 223, 224, 227, 228, 229, 231, 235, 236, 238, 240, 243, 244, 245, 246, 247, 248, 249, 252, 256, 257, 258, 259.
Addison, 126.
Albemarle, Lord, 4, 8.
Albemarle Parish Register, 291.
Alden, 29.
Alderman, 57.
Allen, 56, 126, 292.
Alexander, 56, 141.
Alsop, 129.
Amoroleck, 95, 102.
Amelia County, 174-176.
Ampert, 135.
Anderson, 54, 109, 110, 118, 124, 174, 176, 198, 280, 281.
Appleton, 294.
Arber, 80.
Arcner, 201, 288.
Arlington, 209.
Armistead, 129, 279.
Armstrong, 190.
Ash, 108.
Ashbourne, 59.
Ashley, 68, 69, 70.
"Ashtabula," 134.
Ashton, 142.
"Aspen," 192.
Attucks, 225.
Autry, 145.
Aylett, 131, 171, 179, 180, 181, 183, 184, 189.
Ayloffe, 253.
Baber, 170.
Bachelor, 57.
Bacon, 29, 32, 36, 188, 270, 287, 297.
Bacon's Rebellion, 2, 51, 66, 209, 210.
Bacot, 135.
Badger, 296.
Bagnall, 145.
Baily, 49.
Baldrey, 198.
Ball, 109, 155, 170, 184.
Ballard, 65, 109.
Baltimore, Lord, 147, 148.
Bancroft, 226, 230, 232.
Banister, 174.
Bankhead, 155.
Barber, 198.
Barker, 51, 108.
Barnes, 145.
Barradall, 64.
"Barrens," The, 95.
Barrett, 57.
Bartee, 195.
Barton, 64, 65.
Barziza, 214.
Baskervyle, 51, 176.
Bassett, 104, 107.
Batcheller, 50.
Batt (Batts), 83, 85, 102, 288.
Battaile, 170, 172.
Baxter, 266.
Baylor, 169, 171, 178, 288.
Baynham, 153.
Beale, 293.
Bear, 229.
Beckner, 168, 173.
Belcher, 135.
Belette, 214.
Bennett, 163, 209.
Benson, 135.
Berkeley (Berkley), 2, 51, 66, 163, 198, 201, 202, 203, 208, 209, 210, 297.
Berkeley Parish, 131.
Bernard, 177, 179, 211, 223, 226, 228, 230, 231, 238, 292.
Benson, 135.
Berry, 169, 171, 172.
"Berry Hill," 113, 141.
Berryman, 113.
Betts, 190.

Chawanoes (Shawnees), 84, 85.
Cheatham, 174.
Chericoke, 137, 140.
Chester, 146, 287.
"Chelsea," 182, 183.
Chew, 129, 140.
Chicheley, 51.
Child, 290.
Childress, 61, 175.
Chiles, 169, 171.
Chilton, 128.
Chinn, 108.
Chishon, 175.
Christ Church Parish, 115.
Christian, 275, 279.
Churchill, 58, 262, 293-294.
Clack, 109-111, 112, 113.
Claiborne, 50, 104, 138, 148, 175, 290.
"Claremont," 187.
Clarke (Clark), 56, 215.
Clay, 62, 187.
Clayton, 59, 83, 84, 153, 155, 270.
Clement, 135, 175.
Clements, 194.
Cleveland, 187.
Clinton, 249.
Cobb (Cobbs), 51-56, 174, 175, 195, 292.
Cocke, 153, 165, 166, 167, 175.
Coke, 32, 37.
Colden, 84.
Cole, 141, 280, 282.
Coleman, 130, 169, 193, 283, 284, 286, 294.
Coley, 122.
Colgin, 274.
Collet, 7.
Collier, 189.
Collins, 293.
Comberlande, 57.
"Common Sense," 248, 249, 253.
Combs, 174.
Connor, 151.
Conquest, 192.
Conway, 141, 262.
Cooke, 178.
Copeland, 139.
Cooper, 161, 249, 269.
Corbin, 169.
Cordner, 71.
Cornwallis, 261.
Corrie, 280.
Corotoman, 177.
Cottington, 199, 208.
Coune, 171.
Courtney, 110.
Courtois, 184.
Cox, 124, 196.
Crafton, 193.
Craig, 191, 193.
Craik, 155.
Crawley, 289.
Creighton, 273, 274.
Crenshaw, 185, 193.
Croshaw, 198.
Crows, 56.
Crump, 187, 281.
Crumpler, 146.
Crutchfield, 170.
Culpeper, 209, 211, 212.
Culver, 142.
Curry, 158.
Curtis, 110, 130, 131, 132, 139.
Cutting, 59.
Dabney, 271.
Dale, 80, 118, 119.
Dalton, 55.
Danford, 187.
Dunford, 187.
Daniel, 170, 175, 214.
Dartmouth, 236, 241.
Darwin, 175.
Davenport, 127.
Davies, 171, 190, 217, 270.
Davis, 7, 70, 120, 126.
Davisson, 271.
Dawson, 14, 15, 16, 20, 120.
Deacons, 126.
Debnam, 278, 279.
DeCampe, 187.
Decourcelle, 200.
Defebaugh, 99.
Deile, 58.
DeJarnette, 284.
DeKrafft, 174.
Demowbray, 45, 46.
De Mohun, 200.
Delancey, 60.
Delaware, Lord, 146, 183.
Denbigh, 114.
Denning, 196.
De Pauw, 165.
de Riparia, 45.
De Vries, 151.
Dickenson, 121, 122, 186, 208.
Dickerson, 166, 169.
Dickinson, 228, 229, 233, 244, 247.
Digges (Diggs), 129, 141.
Dillon, 169.
Dinwiddie, 3, 5, 12, 14, 15, 16, 49, 127, 219.
Dinwiddie Papers, 5.
Discoe, 199.

Dissington, 172.
Dixon, 104-107, 239.
Doniphan, 67.
Draper, 162, 264.
Driffield, 43.
Drysdale Parish, 118, 169, 171.
Du Brutz, 290.
Duché, 247.
Dudley, 161.
Dugdale, 71, 200.
Dugger, 63.
Duke, 275, 285.
Dunaway, 126.
Duncan, 189, 190.
Dunglison, 158.
Dunnington, 85, 188.
Dunnock, 197.
Dunlop, 48, 294.
Dunmore, 30, 49, 237, 239, 241, 246, 247, 256, 259.
Dunn, 281.
Dupuy, 186.
Durrett, 170, 283.
Earle, 286.
Eaton, 142.
Eckenrode, 10, 23, 37.
Edloe, 104, 107.
Edmonds, 127.
Edmondson, 278.
"Edmundton," 132.
Edwards, 127, 167.
"Effingham," 141.
Egles, 262.
Eggleston, ——.
Ealm, 174.
Eldridge, 110.
Ellett, 187.
Eliason, 215.
Eliot, 48.
Elliott, 174, 178.
Ellis, 120, 121, 169, 170, 175.
Ellison, 65.
Elizabeth City Parish, 114.
Engel, 165.
Epes, 190.
Eubank, 170.
Evans, 52, 165, 282.
Everett, 128.
Ewell, 29.
Faculty Book, 30.
Fairfax, 95, 126, 145, 265.
"Fairfield," 184, 211, 292.
Faldo, 169.
Falkner, 166.
Fallows, 83 85, 94, 102.
Fanning, 192.
Farmer, 175, 190.
Farmer's Letters, 228, 233.
Farnsworth, 71.
Fauntleroy, 71, 166.
Fauquier, Governor, 15, 16, 17, 19, 20, 25, 49, 226, 227, 229.
Fauquier County Militia Book, 293.
Feaston, 175.
Ferguson, 176.
Field, 155.
Fields, 144.
Filmer, 35.
Finch, 188.
Fishback, 109.
Fisher, 128.
Fitz Harding, 201.
Fitzhugh, 128.
Fitzwilliams, 6.
Fleming, 188.
Fletcher, 63.
Flournoy, 55, 175.
Floyd, 147.
Fontaine, 93, 94, 177, 179, 180, 181, 182, 183.
182, 183.
"Fontainebleau," 180, 182, 183, 184.
Force, 81, 89, 90, 97, 251.
Ford, 137, 216, 228, 231, 246, 257.
Forreau, 180.
Forrest, 140, 192.
Foster, 131.
Foote, 96.
Fowler, 168.
Fox, 47.
Francis, 58.
Fredericksville Parish, 22, 55.
Friend, 191.
Fripps, 135.
Frith, 52.
Frothingham, 232, 233, 235, 237, 251, 252, 253.
Gage, 177.
Gaines, 140.
Galt, 155, 156.
Gardner, 52.
Garlington, 136.
Gaspee, 233, 236, 237, 238.
Gatewood, 280, 282.
Gentleman's Magazine, 163.
General Assembly, 219, 221, 226, 230, 239, 241.
George, The, 147.
Gerrard, 79.
Gerry, 249, 250.
Getty, 180, 182, 183.
Gibson, 119, 120.
Gifford, 140.
Gilbert, 201, 202.

Gilchrist, 193.
Giles, 175.
Gilmer, 1, 155, 156, 184.
Gilmour, 215.
Gill, 71.
Gillaspie, 62.
Gist, 85.
Glasscock, 53.
Goddard, 266.
Goff, 286.
Goldenvale Swamp, 170.
Goldsboro, 70.
Goldsborough, 208.
Gooch, 3, 49, 176.
Goode, 291.
Gooddale, 170.
Goodloe, 171.
Goodrich, 112.
Goodwyn (Godwyn, Goodwin), 155, 189, 200, 283, 284.
Goss, 215.
Graham, 14, 15, 128, 271.
Graves, 62, 280.
Gray, 11, 46, 266.
Grayson, 123.
Greeh, 288.
Gregory, 44, 59, 142, 191.
Green (Greene), 21, 69, 138, 141, 174, 176, 237.
"Green Spring," 210, 212, 213.
Greenville, 221.
Gresham, 176.
Griffin, 155, 156.
Grove, 265.
Grymes, 60, 132, 169, 170, 213.
Guerrant, 119.
Gulston, 147.
Gunston Hall, 127.
Gwatkins, 55.
Gwyneth, 165.
Haddon, 150.
Hakluyt, 77, 80.
Hale, 128.
Hall, 175.
Hallwood, 136.
Hamlin, 175.
Hammet, 285.
Hammond, 280.
Hancock, 247.
Hanover Court House, 220.
Hanover Parish, 191.
Hansford, 29, 30.
Hardaway, 111, 175.
Hargraves (Hargreaves), 58, 59, 60, 171, 197.
Hariot, 77.
Harris, 189, 286.
Harrison, 68, 110, 120, 134, 187, 212, 213, 217, 244, 254.
Harper's Ferry, 102.
Hart, 27.
Harvey, 147, 148, 199, 276.
Harwood, 178, 279.
Hathhett, 254.
Hartwell, 51, 57.
Harvey, 61.
Hawkins, 174, 175.
Hawley, 251.
Hayden, 264.
Hayward, 226.
Heald, 126.
Henmingford, 201.
Hendrick, 61.
Heming, 55, 140, 217, 270.
Henley, 50.
Henry, 4, 10, 11, 22, 23, 26, 27, 62, 100, 181, 183, 184, 220, 222, 225, 232, 236, 237, 239, 241, 243, 244, 245, 246, 253, 254, 255, 256, 257, 258, 259, 269, 270, 271, 215.
Henshaw, 215.
Hereford, 128.
Herlock, 145.
Herndon, 56, 151, 283.
Herring Creek, 170.
Heslop, 132.
Hewlett, 245, 282.
Heylin, 165.
Heyward, 135.
Hibble, 111.
Hickerson, 178.
Hickory Grove, 128.
"Hickory Hill," 191.
Hide, 204.
Higginson, 211, 212, 292-293.
Hildreth, 230, 242.
Hilliard, 291.
Hillsborough, Lord, 230, 231, 234, 241.
Hilton, 61.
Hippisley, 208.
Hoar, 199, 202, 203, 208.
Hobhouse, 208.
Hobson, 61.
Hockaday, 65.
Hogan, 71.
Hoge, 266, 284.
Hog Island, 144.
Hook, 129, 130.
Holmes, 136.
Holdcroft, 65.
Holliday, 71.
Holloway, 6.

Holt, 32, 144, 175.
Hope, 184.
Hopkins, 64, 118, 236, 251.
Hopton Wafer's Parish, 285.
Hooper, 244.
Horn, 151.
Horner, 208.
Horrocks, 27.
Horseley, 201.
Howard, 2, 26, 27, 71, 191, 211, 238, 259.
Howe, 55, 59.
Howson, 193.
Hubbard, 134, 193.
Hudgins, 135.
Hudson, 193.
Hume, 131, 151, 152.
"Hundred of Bruton," 199, 201.
Hunger's Parish, 115.
Hunter, 7, 8, 47.
Hurt, 170.
Hutchinson, 221, 222, 223, 225, 226, 234, 235, 238, 239, 259.
Hutson, 135.
Indian Fields, 212.
Indian School, 43.
Inglish, 135.
Iriquois, 103.
"Island," The, 134.
Ivy, 195.
Jackson, 11, 55, 58, 68, 108, 109, 162, 189, 281.
Jacobs, 135.
James, 50, 111, 119, 195.
James City County, 7, 53, 114, 209, 210, 212, 213, 287.
James City Parish, 114.
Jamestown, 1, 26, 77, 78, 80, 81, 82, 102, 145, 147, 149, 209, 212, 214, 287, 297.
Jarratt, 13.
Jefferson, 55, 61, 62, 64, 66, 68, 143, 158, 236, 243, 245, 247, 255, 257, 258.
Jeffreys, 2, 210, 211.
Jeffries, 63.
Jenings, 53.
Jenkins, 135, 184, 194.
Jennings, 189, 213.
"Jenning's Ordinary," 189.
Jenny, The, 55.
Jett, 108.
Johns, 50.
Johnson, 28, 134, 137, 139, 140, 141, 188, 195, 214.
Johnston, 70, 71.
Joliffe, 208.
Jones, 48, 56, 63, 81, 98, 105, 106, 112, 113, 121, 130, 136, 155, 156, 163, 164, 165, 174, 175, 192, 253, 269, 287-292.
Jordan, 18, 62, 65.
Joyner, 190.
Kalm, 76.
Kecoughtan, 80.
Keeling, 282.
Kelly, 61.
Kemp (Kempe,, 6, 47, 209, 210, 214.
Kemner, 291.
Keem, 176.
Keith, 134.
Kennon, 165-167.
Kercheval, 95.
Kerle, 52, 55.
Kerseboom, 43.
Keys, 262.
Kiggan, 65.
King, 7, 119, 135.
Kingston Parish, 115.
Kirke, 129.
Kirkpatrick, 263, 264, 265.
Kittiwan, 276.
Klugh, 136.
Knatchbull, 208.
Knight, 58, 185, 186, 187, 188.
Knollys, 183.
Knox, 259, 260, 261.
Kuyk, 189.
Lafayette, 184.
Land, 197.
Lane, 66, 172.
Lantrank, 200.
Langoorn, 194-199.
Lamty, 58.
Larimore, 284.
Latané, 262.
Layne, 121.
Layton, 205.
Lea, 150, 155.
Lecky, 220, 245.
Lederer, 82, 91, 92, 94, 102, 103.
Lefebvre, 184.
Lee, 48, 66, 71, 142, 150, 155, 182, 184, 192, 204, 213, 214, 228, 229, 231, 233, 236, 237, 242, 244, 245, 246, 247, 253, 254, 256, 257.
Leland, 200, 202.
Le Neve, 54.
Leny, 174.
"*Letters and Times of the Tylers*," 68, 132, 137, 281, 283, 286.
Lewis, 55, 61, 71, 132, 137, 174, 198, 255.
"Liberty Song," The, 228.
Light, 150.
Lightfoot, 110, 112.
Ligon, 135.
Lincoln, 69, 70, 197.
Lindsey, 171.

Linhaven Parish, 114.
Lisle, 263.
Lloyd, 163, 178.
Lluid, 103.
Lock, 145.
"Locust Grove," 60.
Lodge, [illegible], 65.
Lomax, 171.
Long, 169, 170, 173.
Long Beach, 170.
Looney, 124.
Lorton, 176, 278.
Louisa Register, 55.
Louthan, 116.
Love, 113.
Lower Norfolk County Antiquary, 196.
Lower Parish, 114.
Lowry, 281.
Lucas, 189.
Ludwell, 4, 8, 9, 199-214, 292.
Lumpkin, 215.
Lunsford, 170, 172, 209, 210, 214.
Lusher, 51.
Lynch, 243.
Lynds, [illegible].
Lynn, 126.
Maclin (Macklin), 109, 110, 111.
Macmaster, 68.
Macon, 65, 192.
Madison, 30, 82, 141, 142, 143.
Magruder, 285.
Major, 138, 274.
Makemie, 297.
Mallet, 65.
Mansfield, 71.
Margaret and John, The, 146, 287.
Markham, 175.
Marr, 1[illegible].
Marot, 64.
Marond, 200.
Marsh, 88, 170, 269.
Marshall, 53, 116, 130, 131, 133, 169.
Marston, 137, 139.
Marston Moor, 137.
Marston Parish, 51, 209.
Martin, [illegible], 80, 136, 169, 170, 201.
Maryland Gazette, 20.
Mason, 127, 184, 190, 194, 230, 233, 236, 239, 241, 242, 255, 257.
Massenburg, 110.
Massie, 105.
"Mattaponi," 131, 132.
Mattnews (Mathews), 266, 287.
Mauld, 109, 170.
Maury, 21, 22, 23, 94.
Maxwell, 73, 178, 271, 272.
Mayes, 176.
Mayne, 47.
Mayo, 176, 187.
McCabe, 60, 182.
McCall, 280.
McCaw, 157.
McClurg, 155, 156, 157, 158.
McDowell, 161.
McFarland, 191.
McGehee, 282.
McGuire, 159, 162.
McKennie, 155.
McKenzie, 105.
McIlwaine, 51.
McSparran, 189.
Meade, 13, 142.
Melancthon, 271.
Mercer, 155.
Merchant's Parish, 114.
Meredith, 176.
Merrimac, The, 69, 70.
Merriwether, 53, 71, 135, 140.
Messionier, 184.
Messiter 203.
Mettauer, 161.
Meux, 111, 112.
Michaux, 61, 98.
Mickelbrough, 282.
Michie, 139.
Micou, 171.
Middletown Parish, 209.
Miles, 210.
Miller, 116, 136, 176, 184, 285.
Milner, 197.
Milward, 58.
Minnesota, The, 69.
Minge, 272-279.
Minor, 131, 282.
Minot, 11.
Mitchell, 61, 84, 125, 126, 153.
Mockbee, 285.
Modé (Moody), 150.
Mohawk Indians, 76.
Mohecan Indians, 83.
Molesworth, 66.
Moncure, 142.
Monitor, The 69, 70.
Monitor's Letters, 228, 229.
Monroe, 50.
Montague, 18, 41, 280.
Morgan, 166, 170, 209, 263, 264, 265, 295.
Moon, 170.
Mooney, 74, 102.
Moore, 57, 61, 76, 177-179, 182, 183, 190, 199.
Moore's Creek Bridge, 249.

Morecock, 109.
Morris, 171.
Morrison, 163, 266.
Moryson, 295.
Mortimer, 286.
Morton, 157.
Moseley, 188, 193.
Mosher, 71.
Moss, 176.
Mossom (Mossam), 38, 138, 139.
"Mount Holly," 191.
"Mount Jolly," 133.
"Mount View," 118.
Mount Vernon, 163.
Mulberry Parish, 114.
Mundy, 61.
Munford, 54, 174, 175, 176, 275, 279.
Murdock, 105.
Napier, 150.
Nash, 160, 174, 176.
Neal, 63, 175.
Neblett, 191.
Neill, 76, 81, 99.
Nelson, 110, 167, 234, 245, 255, 257.
New, 275, 278, 279.
Newell, 136.
Newman, 53.
Newport Parish, 28, 114.
Neville, 46, 61, 263, 264, 265.
Newton, 262.
Nicholas, 24, 236, 239, 253, 257, 258.
Nichols, 156, 178.
Nicholson, 139.
Nickerson, 126, 284.
Noland, 137.
Norcutt, 286.
North, 178, 247.
North Farnham Parish, 213.
Norton, 135.
Norris, 123.
Nuckolls, 63.
"Nutsworth," 128.
"Oakland," 118.
O'Brien, 178.
O'Ferrall, 187, 190.
Oldham, 262-265.
Oliver, 117, 137, 189, 193, 225.
O'Neill, 71.
Onslow, 50.
Opechancanough, 78, 80, 295.
Orkney, Lord, 8.
Orr, 284.
Osborne (Osborn), 175, 185, 288.
Otey, 285.
Otis, 10, 11, 12, 22, 25, 220, 221, 222, 224, 227, 228, 229.
Overwharton Parish, 115, 127.
Owen, 20.
Page, 50, 65, 105, 132, 139, 141, 253, 290
Paine, 248.
Palfrey, 221, 222, 223.
Palmer, 119.
Pannill, 290.
Paradise, 214.
Parfitt, 208.
Parham, 110.
Parke, 51, 65, 198, 202, 212.
Parker, 135, 166.
Parks, 7, 8, 9.
Parsons, 85.
Parson's Causes, 259.
Palace, The, 19.
Palmer, 61.
"Pampitike," 182.
Pape, 43.
Parish of Westover, 272, 275.
Pasteur, 155, 197.
Patterson, 193.
Payton, 286.
Pendleton, 132, 171, 244, 255, 257.
Perkins, 71, 137, 140, 142.
Perkinson, 53.
Perry, 27, 30, 145, 170.
Petsworth Parish, 111, 115.
Petters, 198.
Parish of Fredericksville, 55.
Pewmondson Swamp (Pewmoundsend), 170.
Pettit, 150.
Peyton, 128, 140, 155.
Phelps, 208.
Phi Beta Kappa Society, 50, 135.
Pickens, 69.
Pierce, 52.
Pigg, 169.
"Pilmore," 45.
"Pine Forest," 132, 137.
Pinkethman, 52, 54, 56.
Pitt, 155.
Pleasants, 283.
Plott, 163.
Plumpton, 47.
Pocahontas, 78.
Poindexter, 55.
Poitevent, 192.
Polk, 292.
Pollard, 116, 117, 132, 266, 271.
Pope, 31, 155, 182, 262, 290, 293-294.
"Pope's Hill," 126.
"Poplar Hill," 188.
Porter, 215.
Porteus, 45.

Port Tobacco, 170.
Pott, 147, 148.
Potter, 60, 153.
Powhatan, 78, 297.
Powell, 155, 169.
Power, 141, 150.
Prescott, 71.
Presley, 122.
Preston, 14, 15.
Price, 138, 141.
Pride, 176.
Prim, 129.
"Prior Park" 137, 138.
Pryor, 157.
"Purton," 279.
Putnam, 292, 293.
Putney, 145.
Quarles, 282.
Quisenberry, 285.
Kaenmy, 134.
Raincock, 290.
Raleigh Tavern, 232, 239.
Randle, 62.
Randolph, 4, 6, 7, 48, 62, 64, 165, 166, 167, 230, 234, 236, 237, 239, 243, 244, 245, 246, 255, 257.
Ravenscroft, 155.
"Ravenwood," 189.
Rea, 170.
"Red Hill," 120.
Reade (Read), 71, 175, 199.
Redd, 262, 285.
Reddish, 127.
Reed, 135, 162, 244, 248.
Reedy Swamp, 170.
Reid, 142, 143.
Reidesel, 13.
Reins, 169.
Rentfro, 120.
Reynolds, 137, 138, 139, 141.
Rice, 266, 267, 268, 270, 271, 272.
Richardson, 56.
"Rich Neck," 209, 213.
Richmond Enquirer, 282.
Riddell, 155.
Rind, 228.
Riparia, 45, 46.
Rives, 213.
Roane, 142.
Roberts, 175, 176, 216.
Robinson, 14, 15, 16, 19, 20, 22, 25, 27, 58-60, 71, 111, 141, 145, 178, 279.
"Rock Castle," 180.
Rodbard, 208.
Rodgers, 56.
Roger de Courcelle, 209.
Rogers, 142.
Rose, 71.
Ross, 59, 263, 264, 265, 278.
Rooper, 47.
Roosevelt, 71.
Rootes, 55.
Rouviere, 196.
Rowe, 20.
Rowe, The, 276.
"Royal Oak," 124.
Royall, 175, 288.
Royston, 170.
Rowland, 230.
Rozier, 298.
Rubsamen, 158.
Rucker, 135.
Ruffin, 109, 110, 111.
Russell, 145.
Rye Cove, 121, 122.
Sabine, 247.
"Sabine Hall, 4, 18.
St. Anne Parish, 61.
St. Andrew's Parish, 110.
St. David's Parish, 22.
St. George's Parish, 285.
St. John's Parish, 115.
St. Margaret's Parish, 168, 169, 170.
St. Mark's Parish, 94, 132.
St. Mary's Parish, 115, 169, 170.
St. Paul's Parish, 115.
St. Peter's Parish, 115.
St. Stephen's Parish, 291.
Salley, 85.
Saltpustall, 71.
Sands, 191.
Saunders, 29, 118, 208.
Scady, 195.
Scharfe, 137.
Scott, 175, 176, 193, 215, 283.
Seaton, 177, 178.
Seawell, 112.
Semple, 67.
Seaward, 69.
Sexey, 199, 204, 205.
Shaler, 100, 101.
Shannon, 59, 60.
Sharpe, 184.
Shawnees, 85, 103.
Sheldon, 105.
Shelton, 180.
Shepherd, 271.
Sherlock, 17, 19.
Sherman, 229.
Sherwood, 65.

Shields, 53, 56, 281.
Shuford, 134.
Sims, 140.
Simmes, 289.
Simmons (Simons), 112, 135, 136.
Simpson, 136,
Sioux Indians, 102, 103.
Skimeno, 217.
Skyren, 177, 179, 180, 183, 184.
Slader, 150, 152.
Sloan, 136.
Slaughter, 56, 94, 117, 132, 141, 144, 289.
Smith, 54, 78, 80, 88, 95, 96, 97, 102, 104, 108, 117, 126, 138, 142, 145, 197, 209, 255, 270, 279.
Snow, 143, 144, 282.
Soane, 139.
Southern Parish, 118.
South Farnham Parish, 115, 281.
Southgate, 281.
Southall, 269, 273, 274, 281.
Southern Literary Messenger, 253, 266.
Southwark Parish, 212.
Spain, 176.
Sparks, 253, 260.
Speece, 268, 271.
Spencer, 117, 176, 192.
Spithead, 57.
Spotswood, 49, 93, 94, 115, 153, 177-179, 180.
Standard, 111, 112, 130, 142.
Stannup, 199.
Stearnson, 176.
Stephens, 212.
Steptoe, 155.
Stevens, 130, 133, 200, 283, 284.
Stewart, 52.
Stiles, 143.
Stingray Point, 146.
Stith, 81, 96, 224, 290.
Stockwell, 199.
Stokes, 185, 191, 192, 193.
Stoner, 198.
Storke, 262.
Story, 71.
Strachan, 188.
Strachey, 80, 90, 97, 201.
Stratton, Major Parish, 115.
Stringfellow, 215.
Stuart, 139.
Sudworth, 96.
Suiter, 192.
Surry County Records, 165.
Summers, 125.
Sussex, 110.
Sutton, 129, 132, 137.
Swann, 191.
Swayle, 195.
Swinnerton, 65.
Swope, 194.
Tabb, 176.
Talbot, 56, 187.
Talcott, 71.
Taliaferro, 104-107, 113, 116, 129, 130, 133, 134, 135, 136, 137, 168, 169, 170, 171, 172, 173, 215, 282.
Tanner, 175, 195, 200.
Tanner's Creek, 194, 195, 196.
Tapscott, 155.
Tayloe, 25.
Taylor, 67, 71, 121, 123, 125, 133, 136, 141, 168, 171, 172, 196, 198, 271, 283, 290.
Temple, 60, 67.
Temple Farm, 199.
Tennent, 153.
Terrell, 171, 281, 282, 283.
Thacker, 171.
Thelaball, 194, 195, 197.
Thomas, 61, 187, 209, 258.
Thompson, 187.
Thomson, 175, 176.
Thornton, 25, 109, 110, 111-113, 170, 173, 190.
Thornton Bridge, 47.
Throckmorton, 71, 104-107, 141.
Thruston, 262, 264, 294.
Tichester, 208.
Tobacco Row Mount, 120.
Todd, 177-179, 187.
Toddsbury, 178.
Tooker, 295.
Torkesy, 292.
Toddridge, 296.
Toten, 150, 152.
Trigg, 170.
Triplett, 113.
Tudor, 11.
Tuggle, 189, 190.
Turberville, 200.
Turner, 46, 108, 109.
Turpin, 156.
Two Penny Act, 219, 220.
Twitty, 111.
Tyler, 26, 27, 50, 68, 128, 209, 216, 228, 257, 279-287.
Upper Parish, 114.
Van Buren, 216.
"Vallambrosia," 136.
Valliant, 145.
Vanderbilt, The, 70.
Van Brunt, 69.

Van Ness, 50.
Vass, 189.
Van Wyeth, 134.
Vaughan, 61, 120, 193, 195.
Vauter, 171.
Venable, 66.
Verdier, 140.
Verina Parish, 114.
Vesey, 43.
Vince, 58.
Vinckler, 53.
Virginia Gazette, 4, 5, 7, 8, 15, 21, 29, 228, 232, 239, 242, 282, 291.
Virginia Historical Collections, 29.
Virginia Magazine of History and Biography, 56, 131, 195, 212, 213, 266, 268, 269, 270.
Virginia Historical Register, 271.
Virginia State Library, 10, 27.
Wade, 175.
Walker, 62, 71, 136, 155, 214-216, 273, 274, 277, 278, 279, 291.
"Wallace House," 136.
Waller, 7, 9.
Waller's Grove, 255, 265.
Wallingford, 114.
Walter, 205, 215.
Walthall, 174.
Waltham, 174.
Walthoe, 5, 7, 8, 9.
Walton, 185, 186.
Wapping, 57.
Ward (Warde), 174, 175, 289.
Ware, 214, 215.
Ware Parish, 109.
Warner, 71.
Warren, 250.
Warrington, 17, 19, 21, 27.
Washington, 12, 49, 50, 71, 85, 86, 132, 137, 184, 233, 242, 243, 244, 247, 248, 249, 251, 253, 257, 260, 261, 270, 285.
Waters, 129.
Watkins, 136, 175, 176.
Watson, 71, 174.
Watt, 191.
Webb, 115, 197, 218.
Weeden, 4.
Weldon, 56, 176.
Welford (Wellford), 113, 131.
Wells, 223, 249.
Werowocomoco, 145.
West, 1, 71, 147, 164, 183.
"Westover," 188.
Westover Parish, 180.
Westopher Parish, 114.
Weyanoke Parish, 114.
Wherry, 283.
White, 21, 22, 71, 77, 90, 169.
Whitefield, 281.
Whitehead, 193, 290.
Whitehall, 36.
Whiting, 9.
White Plains," 132.
Wickliffe, 187.
Wilbour, 71.
Wilcox (Willcox), 145, 274.
Williams, 134, 136, 174, 176.
Williamsburg (Middle Plantation), 7, 16, 18, 19, 21, 28, 30, 52, 53, 54, 61, 104, 107, 143, 145, 152, 153, 155, 209, 210, 212, 214.
"*Williamsburg, The Old Colonial Capital* 208, 209.
William and Mary College, 14, 15, 16, 20, 27, 28, 29, 30, 42, 49, 50, 116, 142, 143, 152, 157, 211, 212, 213, 258, 289.
William and Mary College Library, 48-51.
William and Mary College Quarterly, 2, 5, 7, 13, 30, 56, 65, 109, 110, 111, 112, 116, 117, 142, 143, 172, 177, 181, 184, 186, 188, 197, 199, 214, 245, 249, 253, 254, 261, 280, 282, 284, 288, 291, 292, 293, 294, 298.
Williamson, 126, 174, 176, 281.
Willie, 291, 292.
Willis, 6, 65, 172.
Winchester, 71.
Wilson, 50, 60, 130, 197, 284.
"Wilton," 186.
Wilkins, 290.
Wilkinson, 145.
Willis, 174.
Wily, 54.
Wilmington, 114.
Winecoff, 109.
Wingo, 187.
Winston, 180, 289.
Winter, 281.
Wirt, 27, 271.
Wise, 71, 297, 298.
Wishart, 195.
Withington, 57, 113.
Wood, 61, 62, 83, 189, 215, 287.
Woodhouse, 200.
Woodson, 61, 176, 186.
Woodward, 169.
Worden, 69, 70.
Wormeley, 169, 170.
Worsham, 167, 175, 176.
Worsley, 199.

Wotten, 145.
Wrackley, 170.
Wright, 290.
Wyatt, 147.
Wyche, 145.
Wyld, 198.
Wythe, 236, 256, 257.
Wyanoke, 276.
Yarborough, 117.
Yates, 20, 113.
York County, 16, 51, 52, 53, 54, 56, 65, 67, 109, 113, 114, 149, 152, 153, 197, 198, 199, 217, 218, 284, 285, 292, 297, 298.
York County Records, 53, 149, 211, 212, 218.
Yorkhampton Parish, 16, 17, 21, 28, 29.
Yorktown, 7, 129, 155, 199, 261, 283.
Young, 188, 280.
Zachariah, 133.

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